Secret

App. F. IX-4

*Previous References*
Legis 26-34-1

1935.
( Legis )

File No. 62-35

Serial Nos. 1

*Later References*

101

# General and Revenue Secretariat.

*Serial No.* one

Proceedings
Manuscript

~~Part B~~ for January 1936

SUBJECT.

Regulations further to amend the Prevention of Adulteration Rules Exc

Govt P 45 20 dy 11-1-36 from Comptr

orders publication of new Regln

as Regln no X11 of 1935

M Ismail

No. C.1068/34-35 OFFICE OF THE Assistant SPECIAL CORRESPONDENCE COMMISSIONER OF [redacted]

Re
Enc...

*New Public Offices, Bangalore*.....21st March

Dear Sir,

It is really long since I had your D. O. No. P.1136 of the 27th August 1934 with a copy of Regulation No. 18 of 1934 (in Guzerati) of the Government of His Highness the Gaikwar of Baroda. I very much regret that I could not devote attention to it earlier owing to the heavy assessment work - I am now sending a translation of the Regulation proper and trust that it will meet your requirements.

With kind regards.

Yours sincerely,

Subramanya Iyer, Esq., B.A., B.L.,
Under Secretary to Government,
Bangalore.

SECTION R. 1935 CTT.

30 MAR 1935 GENL. & R...

NOTE—Contn. Sheet.

No P 5311 Bg 26/27-3-1935

(7) ... made for ...

... Amendment and Validation ...

5407

General and Revenue
Secretariat

... not clear from the ... placed before ... the Health Dept ... Food Laboratory (Health) has to take ... the Protection Branch be requested to furnish information ... before taken further action.

(6)

Reference is invited to law minute of last ... Second Member's council (8-23-0-34) in Legis...

7/ H. T. S.

8/4/34

4-35 ... (... complete)

(1) ... refer to minutes of ... 15 of the notes in ... 26-34-1 (...). The question ... introducing legislation ... be determined on the ... administrative side in the ... instance. While the provision ... requiring drug adulteration ... has been held to be unnecessary ... the Timbers ... procedure ... the adulteration as a "... requiring scientific ...

Translation of the Baroda [illegible]
Prevention of Adulteration of Food & Drug

General and Revenue Secretariat

File No. P [illegible] of 193

[illegible] F. [illegible]

erial No.

Subd In para 15 of his repl 26-34 refd to above, the Commr has raised that the addition of re colouring & staining may be taken up later on. ~~The~~ Subd proposal has now been sent to the Govt of Mysore unofficially for favour of

Joint offices 11/4/35

Gen Secy)

8/ 13/4

why? It has been held in the file ref to Para 14 that the existing law is adequate for our present requirements

[illegible]

14/4

27.4

When recommended in person the General Secretary advised that this matter may be dealt with a note through the Asst Secretary

Subd. There are ~~three~~ Four proposals referred to in the Second Interim order of the 23rd August 1934 (Vide my Min dt 1.11.34) (1) Adoption of the Mysore Food Adulteration Rules (2) Addition of a provision re colouring & staining and (3) Prevention of Drug

Note—Contn. Sheet.

13/ In regard to (1) it was been ordered ~~that~~ in Para 14 that the present Regulation in force adequate for the present requirements No (3) is ordered to be not required at present. In regard to item No (2 it has been ordered to be taken up later on Para 15/ The Director Branch have referred the point now for orders. (para

15/ 2-5-35 16/ The file may be referred to the Dir. of Health for favour of opinion regarding addition of a Section re Colouring & Staining

Pearl Dey) 4/5 7/5 11/5

GENERAL SECRETARIAT 4 MAY 1935

Memo U.O. 1987/P1f' of 4-5-35

To record with compliments to the Director of Health for favour of remarks

By order

14/

For Secretary

17/ Retransmitted with compliments to the General Secretary to Government

Clause providing restrictions in respect of mixing, colouring and staining with other ingredients, as in the English and Bombay laws may be incorporated in our Regulation.

OFFICE OF THE DIRECTOR OF HEALTH IN MYSORE. Bangalore, dated 23-5-35 G. R. No. File No. C.1.0.25 Despatch No.

Director of Health.

Amendment of Food Adulteration Act re colouring staining [illegible]

+56

General and Revenue Secretariat.

File No. P/A 62 of 1935

[App. F. III-2.

(1) This may, if approved, be sent to the Secretariat Library for putting up the Bombay Act containing Act V of 1925.

29/5/35

(2) Bombay Code. Contr. No. 0.1 is put up

31.5.35

Flag A

(2) Subd with an extract from the Bombay code See 3 relating to staining or colouring of articles, if put up. It is for advice whether the same should be incorporated into the Mysore Adulteration Regn as Section 5A

(2) It is in this connection for consideration whether the penalty fine for the breach of this provision be limited to Rs 500 as in the case of Section 5 or to Rs 500 for the first offence and upto Rs 1000 for any subsequent offence as in the Bombay

19/6/35

Re extract of the Bombay Act (Flag A) put up may perhaps be seen in this as Sec 5A of the Mysore Prevention of adulteration Regn IX of 1924 Amended by Regns IV of 29 and V of 1932 put up (Flag B)

20/6/35

(Gen Secy)

In case D.P.A. you have any alterations or additions in the proposed Amendment let us know

17/6/35

Am Act to prohibit Import and Adulteration
Regn re Colouring staining etc articles

FILE NO. of 193 | General and Revenue Secretariat 457. 4

24/ Subd with a draft
Ltr dated 25/ June 617
-17/35

TYPING SECTION
6 JUL 1935
GENL

To the Director of Health
No C. 247 of 11.7.35
calls for opinion on the proposed amend

From the Director of Health
No. C. 1025-68 8 35
states that the extra
from the Bombay Act re colouring staining etc of articles of food
may be adopted.

Subd. The Dte Director of Health (Dr. Y.V. Kane)
of opinion that provision re staining colouring with other ingredients was necessary
& the present Director is of opinion
that the wording of the Bombay Act (as at flag A)
may be adopted.
2) Under rule (a) of the rules for dealing with
Income of Land Revenue Legislation the file will
have to be subd to the member of Council for
in charge for indicating the main question for
necessity for legislation & secondly the lines
on which it should be undertaken. Hon
reference is in connection with the note
to the Legal member does not call for

X 7.8.01

12/7/35

Amendment to the Customs Tariff (Anti-Dumping) Act re colouring staining etc of articles

629 -

[App. F. III-2

General and Revenue Secretariat.

File No. P & Legn., -2 of 1935

JLN

Dewan in the Legn Dept vide 26-34-1 at para 15 of the note stating that this question will be taken up later on

Govt Circulars

Govt Circulars

6/8/35

28) The clause as at Flag A may be adopted.

II Number

6/8

28)

7/8

Dewan

7.8.35

30)

8-8-35

Cl. (11) of the Schedule

Ch. Secy with Comts

9.8.35

NOTE—Contn. Sheet.

**For Disposal by Circulation.** No. C. 49

of 193 5-6

# GENERAL AND REVENUE SECRETARIAT.

## Council Matter.

*Subject*

Amendment of the Mysore Prevention of Food Adulteration Regulation.

*Circulated to the Members of Council.*

By Order,

10th August 193 *Chief Secretary to Government.*

1024/1118 **First Member of Council.** 37) 11/8

37) 16-8-35

1167 1114/10/8 ~~Second~~ Member of Council. 37) 8/8 18/8

36) S. N. put up (Dewan) 16.8.35

37) For favour of Final Note.

1168/12/8

Second Member) 12/8

37) 17/8 Final Note signed by the Member is put up

**Final Note by the Second Member of Council.**

37

***Subject.***— Amendment of the Mysore Prevention of Food Adulteration Regulation.

Under the existing law relating to the Prevention of Adulteration of Food Stuffs, there is no provision in regard to the restrictions in respect of mixing, colouring, or staining articles of food with other ingredients. The Director of Health has recommended the introduction of a provsion relating to this based on the existing law in England and in Bombay. It is accordingly proposed to incorporate in our regulation a clause providing restrictions in respect of mixing, colouring or staining food on the lines of the Bombay Act. According to this proposal, it is an offence for any person to mix or stain any article of food with any matter so as to render the article injurious to health. Such an offence is punishable with fine up to Rs.500 for the first time, and up to Rs.1,00 in the case of subsequent offences.

The Dewan and the First Member of Council have agreed this proposal, and gracious sanction of His Highness is now solicited to undertake this piece of legislation.

MEMBER OF COUNCIL.

Bangalore,
16th August 1935.

Submitted to His Highness.

38)

*I submit herewith a Final Note by the* Second *Member of Council* re: amendment of the Mysore Prevention of Food Adulteration Regulation,

*for His Highness' gracious approval.*

Mirza M. Ismail
*Dewan.*
16-8-35

**Record of Cases submitted for the Orders of His Highness the Maharaja.**

## *Subject.*

Amendment of the Mysore Prevention of Food Adulteration Regulation.

## *Order.*

~~KRM~~
19/8/35

General and Revenue
Secretariat

SUBJECT:- Amend...

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Head-quarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*) (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

*Chief Secretary to Government.*

Through the Secretary to Government,

.....Department.

1349
21/8

FIRST MEMBER OF COUNCIL.

1376
22/8

SECOND MEMBER OF COUNCIL.

General
~~Member~~ Secretary
Pwi tu Comptes
~~Robertson~~

NOTE.—Contn. sheet.

Amendment of the Madras Prevention of Food Adulteration Rules

1315

General and Revenue Secretariat.

File No. Public 52 of 1935

APPENDIX-

4) Subd 2 of appn, the file will be sent to the Director Public Health Protection Branch for necessary action under rule (d) of the rules (Pl. J.)

28/9

Yes please

29/9

To Protection ... with Compliments

6) As suggested in para 2 of the notes, the new section (para 2) may come after section 2 of the Regn (Copy sent up)

The drafts proposed is sent up in proper form

The penalty proposed may be Rs 500 & 1000 may be reduced to Rs 100 & 500 as in section 5

30/8

6) The Regulation was based on the Madras Act & the penalties provided in Secs 5 & 20 were Rs 100 & 500 as in the Madras Act with the sections perhaps for uniformity, we may adopt the same penalties for the new Section also

Gen. Dept. W.C

6.30/8/35

NOTE—Contn: Sheet.

An enactment to impose Prevention of Abuttals Regulation

13/5/35

62

D 37

File No. P 14 of 193 General and Revenue Secretariat 40

H/W. Draft for views
Draft
3/9/35
Gen. Surv)

3/9/35

Does may be done
I Thinks)

GENERAL SECRETARIAT
3 SEP 1935
47

OFFICE OF THE FIRST MEMBER OF COUNCIL
5 SEPT. 1935
No. 1774

H/W 4/9
4/9

5/9
H/W 5/9
6/9

Sind with a draft Statement thereon principals.
Draft CB
6/9/35
Gen. surv.)

For approval
6/9/35
H/W 7/9
7/9

Draft. If appd the proceedings would be transferred to the Protection Br (para) cyclostyled for file (2)
Draft CB
7/9/35
Pro. Br)

Yes please
7/9/35

Send
The Statements may be passed on to the Pr. A. Office

GENERAL SECRETARIAT
6 SEP 1935

PROTECTION SECTION
12 SEP. 1935
SECTT.

13. Typed Copies of the Statement may be sent
BVN 9-9-35
(Paragraph for New Council)

Typing Section
Please send 4 Copies
3 Statements P 14
3 MBR

Amendment of 2155/35

Ewd Administration Regula

D 378.

General and Revenue Secretariat | File No. 629/62 of 193 | [App. F. III—

Serial No.

Subd

Typed copies of the Statement with draft bill are put up
This will after appl be sent to
R.A office for taking 3 copies.

Ho
14/9

14/9

to R.A office for taking 3 copies

14/9

3 Copies taken & file returned to the Prot. Branch

BVN.
16/9.

16/9

Ewd & Amended copies of Govt
Answers are placed in file.

The file will be returned to
Gen. Branch

Form
26/9

Gen Br
W.C

Subd for perusal
HM C.S
11/10

This should be sent to
Bom. Govt at once.
3/10

to Protection Branch
with compliments

C.S
3/10/35

The case was discussed
R.A on 9.10.35 and adopte

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7-35

Amendment of Land Acquisition Regn

File No. of 193

General and Revenue Secretariat

tenders are solicited as to whether the Bill may be published under Rule 8 of the Rules of Business of the Legislative Council instead of the usual Rules

Draft
14/10 The Bill will be published under Rule 8 of being introduced in the 18 Member)

14/10

To be submitted to the Secretary

Secretary

17.10.35

Second Member

17/10

18/10

18/10

is permissible to publish the Bill under Rule 8 of the L.C Rules

Dewan)

4/11/35

22-10-35

10 Please type 4 copies of B & S.R. of G.P.R

Draft)

OFFICE OF THE HIS EXCELLENCY'S LEGISLATIVE COUNCIL 16 OCT. 1935 No. 2836

SECOND MEMBER'S OFFICE 17 OCT. 1935 No. 2370

DEWAN'S OFFICE 22 OCT. 1935 No. 251-1

TYPING SECTN. 23 OCT. 1935 GENL & REV. SECTT.

Amendment of Food Adulteration Regn, cl

General and Revenue Secretariat | File No. 62 of 193 | D. 101/R.L. | [App. F. III—2

Serial No.

Certified typed copies of Bill and Statement of Objects & Reasons are put up. The Statement placed before the D.A. has been adopted as Statement of General Objects & Reasons. The copies will be sent after approval to L.C. Office for taking action in publication under Rule 8 as advised

25/10.

For perusal please

H. S. to speak

29/10/35 II Member) 25/10

Submitted with revised draft of Objects & Reasons

II Member) 29/10

30/10

31/10

L.C. Office) Three copies taken and the file put to Prot. Br. with amdts)

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7-35

31/10/35

1 VI 35

L.C. file

SECOND MEMBER OF COUNCIL. 29 OCT. 1935 No. 3133

Bill for Act to amend
the Prevention of Adulteration Act, 1927.

File No. 31/61/R&S of 193

General and Revenue Secretariat

OFFICE OF THE SECOND MEMBER OF COUNCIL.
12 NOV. 1935
No. 3616

Printed copies of the Bill published under Rule 8 are placed on file.

The Bill is a Simple one and it may perhaps be unnecessary to refer it to a Select Committee. Under the circumstances the following motions are suggested for orders.

(1) That the Bill published under Rule 8 of the Rules of Business be read in Council.

(2) That the Rules of Business be suspended & the Bill be taken into consideration at once without referring it to a Select Committee.

(3) That the Bill be passed.

Hon'ble The Second Member of Council.

Secretary, The General Secretariat.

GENERAL SECT.
12 NOV. 1935
6643

OFFICE OF THE SECOND MEMBER OF COUNCIL
12 NOV. 1935
No. 3631

Bill +, amend the Hyderabad Prevention of Food Adulteration Regulation 20

General and Revenue Secretariat | File No. 2155 Judicial E 2 of 193 4 | [App. F. III—2

Serial No.

Subd

The Bill was read in Council at the meeting held on 17.12.35, Considered and was passed

D.F.N is put up

D.F.N admitted

20/12

2nd Member) 23/12/35

F.N. Signed by Member.

CEB 26/12

Dewan)

DEWAN'S OFFICE
27 DEC. 1935
No. 4220

OFFICE OF THE SECOND MEMBER OF COUNCIL.
24 DEC. 1935
No. 4901

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—18-7-35

**Final Note by the Second Member of Council.**

***ubject.***—

Amendment of the Mysore Prevention of Food Adulteration Regulation.

Paragraph 4 of Office Note

Gracious approval of His Highness was accorded in August 1935 to place before the Representative Assembly a statement of general principles of a bill to amend the Mysore Prevention of Food Adulteration Regulation of 1921 by adding a new Section 5A providing for prohibiting the mixing, colouring, staining or powdering of articles of food intended for sale with deleterious matter so as to render the articles injurious to health.

The general principles of the Bill were adopted by the Representative Assembly in October 1935. The bill was after previous publication introduced in the Legislative Council at the meeting held on the 17th December 1935 and it was considered and passed by that body at the same sitting.

I now solicit the gracious sanction of His Highness to promulgate the bill as law.

N M Ramaswamy
MEMBER OF COUNCIL.

Bangalore,
26th December 1935

*Submitted to His Highness.*

*I submit herewith a Final Note by the* Second *Member of Council on the ~~subject of~~* Amendment of the Mysore Prevention of Food Adulteration Regulation *for His Highness' gracious approval.*

Mirza M. Ismail

*Dewan.*

Bangalore,
27th December 1935.

**Record of Cases submitted for the Orders of His Highness the Maharaja.**

## *Subject.*

Promulgation as Law of the Bill to amend the Mysore Prevention of Food Adulteration Regulation.

## *Order.*

~~KRW~~

30/12/35

SUBJECT:- Promulgation as Law of the bill to amend the Mysore Prevention of Food Adulteration Regulation

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(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Head-quarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders.* (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

*Chief Secretary to Government.*

Through the Secretary to Government,

..... Department.

FIRST MEMBER OF COUNCIL. (on leave)

SECOND MEMBER OF COUNCIL. 31/12

5110
31/12

Prof
31/12

NOTE.—Contn. sheet.

XII-1935-215

General and Revenue Secretariat | Legs File No. 62 of 1935. | [App. F. 111—5

Serial No.

Subd. with a draft & proceedings already in Regn

SC
21/1/36
MBK

Govt no 45-20 of 11/1 ordering publication of Regn. XII of 2

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7-

Statement of general principles relating to the amendment of the Food Adulteration Regulation.

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The question of amending the Mysore Prevention of Adulteration Regulation so as to provide for the addition of a section prohibiting the colouring, mixing staining of food stuffs by deleterious matter has been under the consideration of Government for some time past. Provision for this exists in the Bombay Act V of 1925 and the Director of Health has recommended the addition of a similar clause to the Mysore Regulation. Draft of a section introducing it into our Regulation and fixing a penalty for the breach thereof is annexed.

# THE MYSORE REPRESENTATIVE ASSEMBLY.

*DASARA SESSION—OCTOBER 1935.*

## STATEMENT OF GOVERNMENT BUSINESS TO BE PLACED BEFORE THE REPRESENTATIVE ASSEMBLY.

### I. Statement of General Principles of the Bill further to amend the Mysore Land Revenue Code, 1888.

Under Section 179 of the Mysore Land Revenue Code, 1888, it is obligatory on the part of the person declared to be the purchaser at revenue sales to deposit immediately twenty-five per cent of the bid amount, and under Section 180 of the said Code, he is required to pay the balance before sunset of the fifteenth day from that on which the sale took place. In some cases the purchasers are the persons for whose benefit the sales are held. For example, the sale may be on account of arrears due to a Co-operative Society or to an Inamdar from his tenant. At present, no option is allowed by the Code to set off the purchase money against any amount due to the purchaser himself from such sale proceeds. This is likely to work as a hardship. It is, therefore, proposed to amend the Land Revenue Code by the addition of a new Section 180-A on the lines of the rules contained in the Civil Procedure Code in the matter of allowing a concession of set off when the decree-holder purchases the property in a Civil Court sale.

### II. Statement of General Principles of the Bill further to amend the Mysore Police Regulation V of 1908.

Under Section 56 (*a*) of the Mysore Police Regulation, 1908, whoever drives along or keeps standing in any street a vehicle of any description at any time between half an hour after sunset and one hour before sunrise, without a sufficient light is liable to be punished. Dragging or pushing a vehicle without a light does not come under the scope of this section as it cannot be termed driving. It has been brought to the notice of Government that carts without lights pushed by hawkers or coolies are commonly found in the busy roads of the cities thereby causing serious nuisance. The bill is intended to amend the Regulation so as to make the act of pushing or dragging a vehicle without lights half an hour after sunset and one hour before sunrise, an offence under the Regulation.

### III. Statement of General Principles of the Bill to amend the Mysore Religious and Charitable Institutions Regulation VII of 1927.

Under Section 38 (2) of the Mysore Religious and Charitable Institutions Regulation VII of 1927, an appeal lies to the Government against every order passed by the Muzrai Commissioner, whereas under Section 210 (2) of the Mysore Land Revenue Code, 1888, appeals lie to the Government from an appellate decision or order passed by the Revenue Commissioner, only in cases involving points of law. This section in the said Regulation, VII of 1927, is found to lead to a number of petty appeals on facts to the Government, which in their opinion is not desirable. It is therefore proposed to amend it suitably in conformity with the provisions of Section 210 (2) of the Mysore Land Revenue Code. Such an amendment will not cause any real inconvenience to parties concerned as the Government have powers of revision under Section 39 of the Regulation, VII of 1927.

Objects & Reasons

## IV. Statement of ~~General Principles relating to the amendment~~ of the Food Adulteration Regulation.

The question of amending the Mysore Prevention of Adulteration Regulation so as to provide for the addition of a section prohibiting the colouring, mixing, and staining of food stuffs by deleterious matter has been under the consideration of Government for sometime past. Provision for this exists in Bombay Act V of 1925 and the Director of Health has recommended the addition of a similar clause to the Mysore Regulation. It is proposed to introduce a similar provision into our Regulation.

## V. Statement of General Principles of the Bill pertaining to law regarding Partnership in Mysore.

The law relating to partnership is contained in Chapter XI of the Indian Contract Act, 1872, as in force in Mysore. The inadequacy of the provisions contained therein has been recognised for a long time as many important matters relating to partnership were left un-noticed in Chapter XI. In addition to these omissions, the development of trade and business has shown further matters on which legislation is required. In the absence of clear and definite rules on these points, the Indian Courts have held that Chapter XI of the Indian Contract Act is not exhaustive and have relied on analogies drawn from the English Law. To remove these defects, a separate Act providing for a satisfactory codification of the law relating to partnership was passed in British India in 1932.

The Indian Partnership Act of 1932 as well as the Indian Sale of Goods Act of 1930 (which has been recently adopted in Mysore) were drafted by a Special Committee of leading lawyers presided over by Sir B. C. Mitter. In their report on the Sale of Goods Bill, they observed :—

> "When Sir James Stephen moved the Indian Contract Bill, he admitted that it was not and could not pretend to be a complete code upon the branch of law to which it related. He, however, expressed a hope that in later years it would be easy to enact supplementary chapters relating to several branches of the law of contract which the bill did not touch. In our opinion, in view of the complexity of modern conditions, the time has now come when this process should be accelerated by embodying the different branches of law relating to contract in separate selfcontained enactments."

The Sale of Goods Bill was the first of the series foreshadowed by the Special Committee and the Partnership Bill was the second.

The Indian Partnership Act is based upon the corresponding English Act of 1890 with deviations on some points in order to adapt the law to Indian conditions or to supplement it in places where it is incomplete or are supported by the views of authoritative commentators.

The law in Mysore, has however, remained the same as it was in 1872, in spite of the fact that the development of trade and business in Mysore, as in British India, has shown further matters on which legislation is required. It has therefore become necessary, in order to keep the law of partnership abreast of the developments of modern business relations, to remove the defects by enacting a separate measure on the lines of the Indian Partnership Act, 1932.

The Bill repeals and supersedes Chapter XI of the Contract Act. It makes considerable changes in definition and arrangement, gives effect to the mercantile view of a firm's continuity and adds provisions for voluntary registration of firms.

Chapter I deals with preliminary matters and definitions.

Chapter II deals with the nature of partnership. This law of partnership is made applicable only to the relationship created by contract and not to that which arises from status; in particular, members of a Hindu undivided family carrying on a family business as such are excluded from the application of this law.

Chapter III deals with the relations of partners to one another. The Indian Contract Act, 1872, as in force in Mysore, dealt with some of them in Sections

252, 253, 256, 257, 258 and 259. The present Bill deals with these relations in fuller details.

Chapter IV deals with the relation of partners to third parties. This chapter is mostly taken up with the statement and development of the principle that each partner is the agent of the firm.

Chapter V collects together and sets out in a convenient form all rules relating to the coming in of a new partner and all rules relating to the going out of a partner in so far as these rules do not relate to the dissolution of the firm or to the consequences of dissolution.

Chapter VI deals with the dissolution of a firm and lays down that the dissolution of a firm means the dissolution of the partnership relation between all the partners of a firm, as distinguished from the severance of the connection of one partner with the firm through retirement, expulsion or insolvency dealt with in the last chapter.

Chapter VII deals with the Registration of firms and lays down the procedure for the registration of partners and firms. It is not the intention to apply Chapter VII regarding registration of firms and its incidents to the whole of the State or any part of it, except by a special notification by the Government when conditions for its extension in any part of the State are considered suitable.

Chapter VIII, the last chapter, contains supplemental provisions regarding mode of giving notice, repeals and savings.

C. SUBRAHMANYA AIYAR,

*Secretary, Mysore Representative Assembly.*

A Bill further to amend the Mysore Prevention of Adulteration Regulation, IX of 1921.

******

Preamble.

Whereas it is expedient to further amend the Mysore Prevention of Adulteration Regulation, 1921; It is hereby enacted as follows:-

Addition of a new section 5 A.

After section 5 of the Regulation, the following new section shall be added as 5 A:

Prohibition of mixing of food with injurious ingredients or selling the same.

"5 A. Any person who mixes, colours, stains or powders or orders or permits any other person to mix, colour, stain or powder any article of food with any matter or ingredient so as to render the article injurious to health with intent that the same may be sold in that state, or sells or offers or exposes for sale any such article so mixed, coloured, stained or powdered, shall be punished for the first offence with a fine which may extend to one hundred rupees and for every subsequent offence with a fine which may extend to five hundred rupees.

Exemption in case of proof of absence of knowledge.

Provided that no person shall be liable to be convicted in respect of the sale of any article of food if he proves to the satisfaction of the court before whom he is charged that he did not know of the article of food being so mixed, coloured, stained or powdered as aforesaid and that he could not with reasonable diligence have obtained such knowledge.

Objects and Reasons.

In administering the law relating to the prevention of adulteration of foodstu the need has been felt for a provision prohibiting the mixing, colouring, staini or powdering of articles of food intende for sale with deleterious matter so as t render the articles injurious to health. This Bill is intended to introduce a provision for this purpose in the Mysore Prevention of Adulteration Regulation on the lines of ~~the~~ a Similar provision in the Bombay Act V of 1925.

30/10

30/10

In principle the law relating to
the power of interpretation of legislation
the need for human participation
modification the rights, collective, trading
organization of public of local interest
for public interest might be so to
reason the article may allow to decide
some left to interpret by authorities
provision for in the Supreme
Examination of constitution
the time of the question in the Public

## NOTIFICATION.

*No. Rl.* 265—*L. C.* 1-35-4, *Bangalore, dated 2nd November* 1935.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Prevention of Adulteration Regulation, IX of 1921, is published for general information with the statement of objects and reasons.

By Order,

C. SUBRAHMANYA AIYAR,

*Secretary,*

*Mysore Legislative Council.*

## Bill further to amend the Mysore Prevention of Adulteration Regulation, IX of 1921.

Whereas it is expedient to further amend the Mysore Prevention of Adulteration Regulation, 1921; It is hereby enacted as follows :— Preamble.

After section 5 of the Regulation, the following new section shall be added as 5 A : Addition of a new section 5 A.

"5 A. Any person who mixes, colours, stains or powders or orders or permits any other person to mix, colour, stain or powder any article of food with any matter or ingredient so as to render the article injurious to health with intent that the same may be sold in that state or sells or offers or exposes for sale any such article so mixed, coloured, stained or powdered shall be punished for the first offence with a fine which may extend to one hundred rupees and for every subsequent offence with a fine which may extend to five hundred rupees. Prohibition of mixing of food with injurious ingredients or selling the same.

Provided that no person shall be liable to be convicted in respect of the sale of any article of food if he proves to the satisfaction of the court before whom he is charged that he did not know of the article of food being so mixed, coloured, stained or powdered as aforesaid and that he could not with reasonable diligence have obtained such knowledge." Exemption in case of proof of absence of knowledge.

## Statement of Objects and Reasons.

In administering the law relating to the prevention of adulteration of foodstuffs the need has been felt for a provision prohibiting the mixing, colouring, staining or powdering of articles of food intended for sale with deleterious matter so as to render the articles injurious to health. This Bill is intended to introduce a provision for this purpose in the Mysore Prevention of Adulteration Regulation on the lines of a similar provision contained in the Bombay Act V of 1925.

677/34
P 34

No. 1651/1933-34 34

LEGAL REMEMBRANCER'S OFFICE

BARODA 26th July 1934.

Legis 28-34-1

5949
R.S.9.34

Sir

With reference to your D.O.No.P 352 dated 23/24rd July 1934, I have the honour to inform you that the Food and Drugs Adulteratio Act is in Gujarati. If it is likely to be of any use, I shall be glad to send a copy on hearing from you.

Yours sincerely.

Secretary
to the Legislative
Council. Baroda.

To

The Secretary,
Legislative Council.
Bangalore.

G.A.D. 334
GENL. & REV. SECTT.

D No P685 & 7.8.34

D. O. No. 9685 GENERAL AND REVENUE SECRETARIAT

*Dated, Bangalore,* 6th August 1934.

7 35

Dear Sir,

I thank you for your letter No. 1651/33-34 dated 28-7-1934 and request that you will be so good as to send me a copy of the Food and Drugs Adulteration Act in Gujarati which I shall have translated into English here.

Yours sincerely,

Secretary,
Legislative Council.

To

The Secretary
to the Legislative Council,
Legal Remembrancer's Office,
BARODA.

Appendix F G—1]

SUBJECT .....

.....

.....

Section

File No.

Serial No.

No. P 6857

To

The Secretary,
Baroda Legislative Dept.
Legal Remembrancer's Office
Baroda

*Diary No. of letter replied to* .....

General and Revenue Secretariat

( )

*the* *193*

Date of issue 7/8/34

Signed by .....

Dear Sir,

I thank you for your letter no 1651/33-34 of 28.7.34 and request you will be so good as to send me a copy of the Food & Drugs Adulteration Act in Gujarati which you have translated into English kindly

Yours truly

List of enclosures .....

Copied by .....

Examined by .....

WD 01956—GPB—22,500—12-6-34

No. 48 of 1934-35.
LEGAL REMEMBRANCER'S OFFICE

BARODA th August. 19 34.

13

37

Dear Sir,

In reply to your letter No.P685 dated 6th August 1934 I have the honour to send under seperate cover a copy of the Food and Drugs Adulteration Act.

Please acknowledge the receipt of the same at your earliest convenience.

Yours sincerely,

Assistant Legal Remembrancer.

Draft Subd. Bgh issue this
Dear Sir with reference to the Vernacular Records for getting it translated into Engl by the official who writes Kanarese for to Mr Gangadhar Mr N.D. Nagarkar Asst Commr of Income Taxes

The Secretary,

Legislative Council.

Bangalore.

TYPING SECTION, GENL. & LEG. SECTT. 25 AUG. 1934

Dear 17/8

Dear 23/8

Draft D.O of even No P1060 of 22-8-34

Office of the Secretary, 58
Representative Assembly and Legislative Council,

D. O. No. P 1060.

Dated Bangalore, 21st August ..... 1934.
22nd

Dear Sir,

I write to acknowledge with thanks your D.O.letter No.98 of 34-35 dated 13th August 1934, and the copy of the Food and Drugs Adulteration Act kindly sent by you.

Yours sincerely,

Secretary,
Legislative Council.

The Assistant Legal Remembrancer,
Legal Remembrencer's Office,
BARODA.

Appendix F G—1]

SUBJECT .....

.....

.....

Section

File No.

Serial No.

No. P1060

*Diary No. of letter replied to* .....

To The Assistant Legal Remembrancer Legal Remembrancer Baroda

General and Revenue Secretariat

( )

*the* *193*

Date of issue .... 22-8-34 .....

Dear Sir,

Signed by .... for C.S.D. .....

I write to acknow with thanks your D.O Letter No 98 of 34-35 of 13-8 and the copy of the Food and Drugs Adulteration Act kindly sent by you

Yours sincerely

List of enclosures .....

Copied by ..... 22/8/34

Examined by ..... 22/8

WD 01956—GPB—22,500—12-6-34

GENERAL AND REVENUE SECRETARIAT

O. No. P. 1136 Genl Book

Dated, Bangalore, 27th August 1934.

28

Dear Sir,

I enclose herewith a copy of the Food and Drug Adulteration Act of Baroda in Guzarati and request that you will be so good as to furnish Government with an english translation of the same.

Yours sincerely,

a

N.R.Nagarkar, Esq., B.A.,
Assistant Commissioner of Income-tax,
Bangalore.

Appendix F G—1]

SUBJECT .....

.....

.....

*Diary No. of letter replied to* .....

General and Revenue Secretariat

( )

*the* *193*

Date of issue 28/8/84

Signed by Jay C. P. Iyer

List of enclosures .....

Copied by .....

Examined by .....

**Section**

**File No.**

**Serial No.**

No. P 1136/Gen/book

To

M. R. Vaidyanathan Esq., B.A.

Asst. Commr. of Income Tax

Dear Sir

I enclose herewith a copy of ~~the~~ ~~Gazette~~ notification of the Food & Drug Adulteration Act of Baroda in Gujarati and requested you will be kind as to furnish me with an English translation of the same

Yours sincerely

A

1(2 1504/P 834

Jl No 1068/34-35 Office of the Assistant Commissioner of Incometax

Dated Bangalore, 10th September 1934.

Dear Sir,

I write to acknowledge the receipt this - day of a copy of the Food and Drug Adulteration Act of Baroda in Gujarati sent with your D.O.No.P.1136 of the 27th August 1934 and to state that the English translation of the same will be sent in due course.

Yours sincerely,

Subramanya Iyer, Esq., B.A.,B.L.,
Under Secretary to Government,
General & Revenue Secretariat,
Bangalore.

as per Memo

14.9.34

श्री.

श्रीमंत गायकवाड सरकारना राज्यमांनो

# खोराकना पदार्थोमां तथा दवामां भेळसेळ थती अटकावना संबंधी

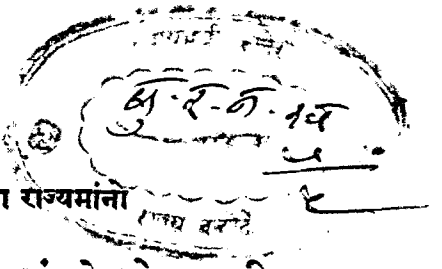
# निबंध.

( सन १९३४ नो १८ मो. )

( न्यायमंत्री कचेरीथी प्रसिद्ध कर्यो. )

वडोदरा सरकारी छापखानुं.
१९३४.

किंमत रु. ०–२–०.



श्री.

श्रीमंत गायकवाड सरकारना राज्यमांनो

# खोराकना पदार्थोमां तथा दवामां भेळसेळ थती अटकाववा संबंधी

# निबंध.

( सन १९३४ नो १८ मो. )

( न्यायमंत्री कचेरीथी प्रसिद्ध कर्यो. )

वडोदरा सरकारी छापखानुं.
१९३४.

कीमत रु. ०–२–०.

श्री.

# प्रस्तावना.

निबंध घडवानां कारणो.

खोराकना पदार्थोमां तथा दवामां भेळसेळ थती अटकाववा माटे अत्यार सुधी स्वतंत्र कायदो नहोतो. फोजदारी निबंधमां मात्र केटलीक कलमो छे; पण लोकोनी तंदुरस्ती जाळववा माटे ते कलमो पूरती नथी. माटे ते संबंधमां एक स्वतंत्र कायदानी जरूर जणायाथी ब्रिटिश हिन्दुस्थानमां ज़दा जूदा इलाकामां आ बाबत जे निबंधो अमलमां छे तेनां धोरणो विचारमां लई आ निबंध घडवामां आव्यो छे. तेनो पहेलो भाग खोराक संबंधी छे अने बीजो भाग दवा संबंधी छे.

निबंधनो अमल.

२. आ निबंधना भाग १ लानो अमल वडोदरा शहेरमां निबंध प्रसिद्ध थयेथी बे मास पछी एटले तारीख २६-६-३४थी थशे, अने ते शिवाय बीजे स्थळे जे तारीखथी शरू थवानुं ठरावबामां आवे ते स्थळे ते तारीखथी थशे. बीजा भागनो अमल हाल कोई ठेकाणे थवानो नथी.

तारीख १० माहे एप्रिल सन १९३४.

पु. वा. म.

**गो. कृ. दांडेकर,**
न्यायमंत्री.

श्री.

श्रीमंत सरकार महाराज सयाजीराव गायकवाड, सेनाखासखेल समशेर बहादूर, जी. सी. एस्. आय्., जी. सी. आय्. ई., फरजंदे-खास-ई दौलते-इंग्लिशिया एमणे नीचे लखेलो " खोराकना पदार्थोमां तथा दवामां भेळसेळ थती अटकावबा विषे निबंध " मंजूर कर्यो छे.

## सन १९३४ नो निबंध १८ मो.

सदरहू निबंध तारीख २६ माहे एप्रिल सन १९३४ ना रोज प्रसिद्ध करवामां आव्यो.

# खोराकना पदार्थोमां तथा दवामां भेळसेळ थती अटकावबा विषे निबंध.

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(१) हानिकारक वसाणा साथे खोराकनुं मिश्रण करवा माटे अगर एवो खोराक वेचवा माटे शिक्षा. ४
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| ३० | (१) दवा अगर नमूनो पृथक्करण माटे मोकलतां पहेलां वेचनारने खबर आपवी | १८ |
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| | (२) दंडनी व्यवस्था. .... | १९ |
| ३३ | (१) फरियाद करवानी मुदत. .... | १९ |
| | (२) आरोपी उपरना आव्हानपत्रमां शं होवुं जोईए. .... | १९ |
| | (३) काम क्यारे चलावबुं नहीं. .... | २० |
| ३४ | (१) प्रमाणपत्र तेमां लखेली हकीकत बाबत पुरावो गणाशे. | २० |
| | (२) सरकारी रसायन परीक्षकने लखी मोकलवा बाबत.... | २० |
| ३५ | कलम २६ प्रमाणे निमायला पृथक्करण करनार शिवायनां खानगी पृथक्करण करनारन प्रमाणपत्र. .... | २० |
| ३६ | पृथक्करण करनारने न्यायाधिशमां साक्षी तरीके बोलावबा .... | २० |
| ३७ | (१) जग्यामां दाखल थवानो अधिकार. .... | २१ |
| | (२) धार्मिक रिवाजने मान आपवा बाबत .... | २१ |
| ३८ | शुद्धबुद्धिथी करेलां कृत्य बाबत जबाबदारी. .... | २१ |
| ३९ | नियमो. .... | २१ |


नमना निशानो १ अने २.

# खोराकना पदार्थोमां तथा दवामां भेळसेळ थती अटकावचा विषे निबंध.

उद्देश.

खोराकना पदार्थोमां तथा दवामां भेळसेळ थती अटकावचा माटे तथा भेळसेळवाळा पदार्थोना तथा दवाना वेचाण उपर अंकूश मूकवा माटे कायदो करवो इष्ट जणायथी श्रीमंत सरकार महाराज सयाजीराव गायकवाड, सेनाखासखेल समशेर बहादूर, जी. सी. एस्. आय्., जी. सी. आय. ई., फरजंदे-खास-ई-दौलते-इंग्लिशिया एमणे नीचे मुजब ठराव्युं छे:-

## भाग १ लो.

### बाब १ लो.

#### प्रारंभना नियम.

संज्ञा,

१. आ निबंधने " खोराकना पदार्थोमां तथा दवामां भेळसेळ थती अटकावचा विषे निबंध " कहेवो.

व्याप्ति.

२. ( १ ) आ निबंध आखा राज्यने लागू थशे.

( २ ) आ निबंधना

( क ) पहेला भागनो अमल

अमलनी शरूआत.

( १ ) वडोदरा शहेरमां तारीख २६ माहे जून सन १९३४ ना रोज अने

( २ ) ते शिवाय बीजे स्थळे जे तारीखथी शरू थवानुं कलम ३ ने अनुसरीने ठरावचामां आवे ते स्थळे ते तारीखथी

शरू थशे.

( ख ) भाग २ जानो अमल जे तारीखथी जे प्रदेशमां थशे एम हजूर हुकमथी आज्ञापत्रिकामां जाहेरनामुं प्रसिद्ध करी ठरावचामां आवे ते तारीखथी ते प्रदेशमां

शरू थशे.

( ३ ) ( क ) आ निबंधनो भाग १ जे तारीखथी जे ठेकाणे अमलमां आवशे ते तारीखथी ते ठेकाणाना संबंधमां फोजदारी निबंध ( संवत् १९५२ नो ५ मो ) नी कलमो २३४ तथा २३५ रद्द थई छे एम समजवुं, अने

( ख ) भाग २ जो जे तारीखथी जे ठेकाणे अमलमां आवशे ते तारीखथी ते ठेकाणाना संबंधमां फोजदारी निबंध (संवत् १९५२ नो ५ मो ) नी कलमो २३३ थी २३८ रद्द थई छे एम समजवुं.

३. ( १ ) आ निबंधना भाग १ नानो अमल अमुक स्थळमा शरू करवा जोईए एवो ते स्थळ जे स्थानिक संस्थानी हद्दमां होय ते स्थानिक संस्थानो अभिप्राय थाय तो, तेणे ते बाबत लेखी मागणी प्रांतना सुबा तरफ करवी.

वडोदरा शहेर शिवाय बीजे स्थळे अमल शरू थवा माटे स्थानिक संस्थाए करवानी मागणी.

( २ ) पटाकलम (१) प्रमाणे मागणी आवे ते बाबत सुबाए आरोग्य रक्षण अधिकारी तरफ निवेदन करवुं.

मागणी उपरथी सुबाए करवानी तजवीज.

( ३ ) आरोग्यरक्षण अधिकारीए सुबा तरफथी आवेलुं निवेदन पोताना अभिप्राय साथे हजूरमां सादर करवुं.

आरोग्यरक्षण अधिकारीए करवानी तजवीज.

( ४ ) पेटाकलम (३) प्रमाणे आवेलां निवेदन उपरथी हजूर पोताने योग्य लागे तेवो हुकम करवा मुखत्यार छे.

हजूर योग्य हुकम करवा मुखत्यार छे.

( ५ ) ( क ) मागणीवाळा स्थळे आ निबंधनो अमल शरू करवानुं हजूरथी ठरावामां आवे तो ते बदल आरोग्यरक्षण अधिकारीए आज्ञापत्रिकामां जाहेरात प्रसिद्ध करवी, अने तेमां कयी तारीखथी अमल शरू थशे ते जणाववुं

आरोग्यरक्षण अधिकारीए जाहेरनामुं काढवुं.

( ख ) मागणी नामंजूर करवामां आवे तो ते बाबतनो खबर आरोग्यरक्षण अधिकारीए सुबानी मार्फत मागणी करनार संस्थाने आपवी.

( ६ ) ( क ) आ निबंधना भाग २ जानो अमल शरू करवा माटे पण, उपरनी पेटाकलम (१) थी (५) मां ठराव्या मुजब तजवीज करवी.

भाग २ जानो अमल.

( ख ) मात्र ए बाबत दवाखाताना मुख्य अधिकारीनो अभिप्राय आरोग्यरक्षण अधिकारीए मेळववो जोईए.

४. विषय अगर पूर्वापर संबंध उपरथी बाध आवतो न होय तो

व्याख्या.

( क ) " आरोग्यरक्षण अधिकारी " ए शब्दमां आ निबंध मुजब आरोग्यरक्षण अधिकारीए जे कामो करवानां छे ते कामो करवानो अधिकार जे अमलदारने हजूरथी सोंपवामां आवे तेनो समावेश थाय छे.

आरोग्यरक्षण अधिकारी.

( ख ) " खोराक " ए शब्दमां

( १ ) दवा अगर पाणी शिवाय बीजी जे वस्तुओ माणस खावाना अगर पीवाना उपयोगमां ले छे ते वस्तुओनो तेमज

( २ ) जे वस्तुओ माणसना खोराकनी बनावटमां अगर ते तैयार करवामां सामान्य रीते दाखल थाय छे अगर वपराय छे ते वस्तुनो अने वळी

( ३ ) खुशबो आपनारी चिजोनो अने मसालानो

समावेश थाय छे.

खोराक.

( ग ) " स्थानिक प्रदेश " एटले

( १ ) वडोदरा शहेर, अगर

( २ ) कोई

( अ ) सुधराईनी,

( आ ) जाहेर करेला प्रदेशनी अगर

( इ ) गामडानी अगर

( ई ) ज्यां बजार अगर मेळो भरातो होय एवी कोई जग्यानी

हद्दमां आवेलो प्रदेश अगर

( ३ ) आ निबंधना कारण सारू जे प्रदेशने हजूर हुकमथी स्थानिक प्रदेश तरीके जाहेर करवामां आवे ते प्रदेश

एम समजवुं.

स्थानिक प्रदेश.

( घ ) "स्थानिक संस्था" एटले

स्थानिक संस्था.

( १ ) वडोदरा शहेरनी बाबतमां, वडोदरा शहेर सुधराईना सामान्य अगर विशेष हुकम प्रमाणे काम करता सुधराई कामदार,

( २ ) बीजी कोई सुधराईनी बाबतमां ते सुधराई,

( ३ ) जाहेर करेला प्रदेशनी बाबतमां सुधराई निबंध ( संवत् १९६२ नो १ लो ) नी कलम १८७ प्रमाणे निमेलो सखस अगर सभा अने

( ४ ) प्रात पचायतना हद्दमां आवेली कोई प्रदेशनी बाबतमां जे प्रांत पंचायतनी हद्दमां ते होय ते प्रांत पंचायत

एम समजवुं.

## बाब २ जो

## खोराकमां भेळसेळ करवा सामे अने भेळसेळवाळा खोराक वेचवा सामे प्रतिबंध.

९. ( १ ) जे सखस

हानिकारक वसाणा साथे खोराकनुं मिश्रण करवा माटे अगर एवो खोराक वेचवा माटे शिक्षा.

( क ) खोराकनी कोई वस्तुने, बीजी कोई चीज अगर वसाणा साथे अगर ते वडे ते वस्तु तन्दुरस्तीने हानिकारक निवडे एवी रीते

**प्रसंग.**

( १ ) भेळवे, रंगे, डाघ पाडे अगर भूको करे अथवा

( २ ) बीजा कोई सखसने भेळववाने, रंगवाने, डाघ पाडवाने अगर भूको करवाने हुकम करे अगर परवानगी आपे

एवा इरादाथी के ते खोराकनी वस्तु एवी स्थितिमां वेचवामां आवे, अथवा

( ख ) एवी रीते भेळवेली, रंगेली, डाघ पाडेली अगर भूको करेली एवी कोई खोराकनी वस्तु वेचे अगर वेचवानुं कहे अगर वेचवा माटे देखाडे

ते

**परिणाम.**

( अ ) पहेला गुन्हा माटे पांचसो रुपिया सुधीना दंडनी अने

(आ) पछीना दरेक गुन्हा माटे एक हजार रुपिया सुधीना दंडनी

शिक्षाने पात्र थशे.

(२) परंतु एम ठरावबामां आवे छे के, कोई सखस जे न्यायाधिशी आगळ तेना उपर तोहोमत मूकबामां आव्युं होय ते न्यायाधिशीनी एवी खात्री करी आपे के

शिक्षा क्यारे थशे नहीं.

(क) खोराकनी वस्तु पेटाकलम (१) नी रकम (क) मां जणाव्या प्रमाणे भेळवेली छे, रंगेली छे, डाघ पाडेली छे अगर भूको करेली छे एवी तेने खबर नहोती अने

(ख) योग्य तत्परता बापऱ्या छतां पण तेने तेवी खबर मळी शके एम नहोतुं

तो ते सखसने तेवी वस्तुना वेचाणना गुन्हा माटे गुन्हेगार ठरावी शकाशे नहीं.

६. (१) जे सखस जे प्रकारनी, द्रव्यनी अगर जातनी ते वस्तु जणाती होय ते प्रकारनी, द्रव्यनी अगर जातनी न होय एवी खोराकनी वस्तु

य प्रकारनो न होय एवा कना वेचाण माटे बनावट माटे शिक्षा.

**प्रसंग.**

(क) वेचे,

(ख) वेचावे,

(ग) बनावे,

(घ) वेचवानुं कहे अगर

(ङ) वेचवा माटे मूके

ते

(अ) दरेक पहेला गुन्हा माटे बसो रुपिया सुधीना दंडनी अने

**परिणाम.**

(आ) पछीना दरेक गुन्हा माटे एक हजार रुपिया सुधीना दंडनी शिक्षाने पात्र थशे.

(२) परंतु एम ठरावबामां आवे छे के नीचेना कोईपण प्रसंगे आ कलम प्रमाणे गुन्हो करेलो गणाशे नहीं एटले के,

गुन्हो बनेलो क्यारे गणाशे नहीं.

(क) खोराकनी कोई वस्तुने, वेपारना माल तरीके लावबा लई जवा माटे अगर उपभोग माटे लायक करवा सारू तेनी बनावटमां अगर ते तैयार करवामां कोई चीज अगर वसाणानी जरूर पडती होय ते कारणथी, तन्दुरस्तीने हानिकारक न होय एवी चीज अगर वसाणा ते वस्तुमां उमेर्यो होय अने तेम ते खोराकना प्रमाण, वजन अगर मापमां वधारो करवाने अगर तेनी हलकी जात छुपावबाने दगलबाजीथी करेलं न होय तो,

(ख) ज्यारे

१) (अ) तन्दुरस्तीने हानिकारक न होय एवी कोई चीज अगर वसाणुं कोई खोराकनी वस्तुमां उमेरवामां आव्युं होय अगर तेनी साथे भेळववामां आव्युं होय अगर तेमांथी काढी लेवामां आव्युं होय, अगर

(आ) खोराकनी कोई वस्तु, तन्दुरस्तीने हानिकारक न होय एवी कोई चीज अगर वसाणानी बनेली होय

अने

(२) ए वस्तुमां एवी चीज अगर वसाणुं उमेर्युं छे अगर तेमां भेळव्युं अगर तेमांथी कहाडी लीधुं छे अगर ते वस्तु एवी चीज अगर वसाणानी बनेली छे ए हकीकत, आ बाबत नियमथी ठरावबामां आवे ते शरतोने अनुसरीने चोढेली चिट्ठीथी ते वस्तु वेचतां पहेलां ते वेचनार खरीददारना ध्यान उपर आणी हो—

त्यारे.

टीप (१) ली. दूधमांथी काढेलुं न होय एवुं कोई द्रव्य जे घी अगर माखणमां होय ते घी अगर माखण, जे प्रकारनी द्रव्यनी अगर जातनी खोराकनी वस्तु ते जणाय छे तेवी खोराकनी वस्तु ते नथी एम गणवामां आवशे.

टीप (२) जी. जे जग्यानो खोराकना वस्तु बनावबाने माटे उपयोग थतो होय तेवी कोई जग्यामां एवी कोई वस्तु मळी आवे तो, विरुद्ध शाबित करवामां न आवे त्यासुधा, ते वस्तु वेचवाने माटे बनावबाम आवी छे एवुं अनुमान थशे.

( ३ ) ( क ) आ कलम प्रमाणे मांडेली फरियादमां वेचनार एवो बचाव करे के

आ कलम प्रमाणे मांडेली फरियादमां केवो बचाव मान्य रखाशे नहीं.

( १ ) वेचेली खोराकनी वस्तुना प्रकार, द्रव्य अगर जातनी तेने खबर न होती अगर

( २ ) प्रकार, द्रव्य अगर जात ए त्रणे बाबतो संबंधी वेचेली खोराकनी वस्तु खामीवाळी नथी

तो ते बचाव मान्य रखाशे नहीं.

( ख ) परंतु एम ठरावबामां आवे छे के, न्यायाधिशीनी खात्री थाय एवी रीते वेचनार शाबित करी आपे के

**प्रसंग.**

( १ ) वेचेलो माल, खरीदनारे जे प्रकारनो, द्रव्यनो अगर जातनो मागेलो तेज प्रकारना, द्रव्यना अने जातना माल तरीके अने तेवा प्रकारनो द्रव्यनो अने जातनो माल छे एवी लेखी खात्री साथे तेणे ( वेचनारे ) आडतिया तरीके खरीद्यो अगर मेळव्यो हतो,

( २ ) तेणे ते माल वेच्यो ते वखते ते तेवा प्रकारनो, द्रव्यनो अगर जातनो नथी एवुं मानवाने तेने कंई कारण नहोतुं, अने

( ३ ) तेणे जे स्थितिमां खरीद्यो हतो तेज स्थितिमां वेच्यो हतो

**परिणाम.** तो तेणे आ कलम प्रमाणे गुन्हो कर्यो छे एम गणी शकाय नहीं.

७. जे सखस तेणे मुख्य अगर आडतियाना संबंधथी वेचेला कोई खोराकनी वस्तुना संबंधमां खरीदनारने खोटी लेखी खात्री आपे ते

खोटी खात्री आपवा माटे शिक्षा.

**प्रसंग.**

( क ) पहेला गुन्हा माटे पांचसो रुपिया सुधीना दंडनी अने

( ख ) पछीना दरेक गुन्हा माटे एक हजार रुपिया सुधीना दंडनी

**परिणाम.** शिक्षाने पात्र थशे.

## बाब ३ जो.

### पृथक्करण करनार अन तपासनीस.

८. आ निबंधना कारण सारू कोईपण स्थानिक प्रदेशने माटे पृथक्करण करनार तरीके ते बाबतमां निपुणता अने अनुभव धरावनार कोईपण लायक सखसने स्थानिक संस्थाए

पृथक्करण करनारनी निमणूक.

हजूर मंजुरीथी निमवो अने ते विषेनी जाहेरात आज्ञापत्रिकामां प्रसिद्ध करवी.

९. ( १ ) खोराकनां वस्तु खरीदनार कोइपण सखसने खरीद्या पछी

खोराकनुं पृथक्करण करावबानो ते वेचातो लेनारनो हक्क.

( क ) जे स्थानिक प्रदेशमां ते वस्तु खरीदी होय ते प्रदेशना पृथक्करण करनार पासे ते वस्तुनुं पृथक्करण करावबानो अने

( ख ) ते पृथक्करणना पारणामनुं प्रमाणपत्र नमूना निशानी १ प्रमाणे मेळवबानो

हक्क छे.

पृथक्करण माटे आपबानी लागत.

( २ ) पेटाकलम (१) प्रमाणे पृथक्करण करावनारे पृथक्करण करबानी मागणी करती बखते हजूर मंजुरीथी आरोग्यरक्षण अधिकारी आ बाबत जे लागत ठरावी आज्ञापत्रिकामां प्रसिद्ध करे ते लागत आपवी पडशे

नेयमो ध्यानमां राखवा.

( ३ ) पृथक्करण करनारे, प्रमाणपत्र आपवामां कलम २१ नी रकम ( ग ) प्रमाणे आरोग्य रक्षण अधिकारीए करेला नियमो ध्यानमां राखवा.

प्रमाणपत्रनी नकल स्थानिक संस्थाने मोकलवी.

( ४ ) पृथक्करण करनारे, पृथक्करणना परिणामना प्रमाणपत्रनी एक नकल तुरत पोताना स्थानिक प्रदेशनी स्थानिक संस्था तरफ मोकलवी.

तपासनीसनी निमणूक.

१०. आरोग्यरक्षण अधिकारी हजूर मंजुरीथी आ बाबत नियमो करे तेने अनुसरीने स्थानिक संस्थाए आ निबंधना कारण सारू कोईपण सखसने

( क ) कोई अमुक खोराकनी वस्तु माटे विशेष रीते अगर

( ख ) बधी खोराकनी वस्तओ माटे सामान्य रीते

तपासनीस निमबो.

तपासनीसे खोराकनी वस्तु मेळवबा बाबत.

११. ( १ ) कोईपण तपासनीसे, पोते थईने अगर बीजा कोईनी मार्फत, खोराकनी कोई वस्तु अगर तेनो नमूनो मेळवबा मुखत्यार छे.

( २ ) ते वस्तु आ निबंधना ठरावोनुं उल्लंघन करीने वेचवामां आवी छे एम तेने शंका आवे तो तेणे ते, जे स्थानिक प्रदेशमांथी ते वस्तु मेळवी होय ते प्रदेशना पृथक्करण करनार तरफ मोकलवी.

पृथक्करण करनार तरफ वस्तु मोकलवा बाबत.

( ३ ) ते पृथक्करण करनारे

पृथक्करण करनारे पृथक्करण करवुं.

( क ) कलम ९ नी पेटाकलम (२) प्रमाणे लागत लीधा पछी बनती उतावळे ते वस्तुनुं पृथक्करण करवुं अने

( ख ) पृथक्करणना परिणाम बाबत प्रमाणपत्र नमूना निशानी मुजब आपवुं अने

( ग ) तेनी एक नकल तुरत पोताना स्थानिक प्रदेशनी स्थानिक संस्था तरफ मोकलवी.

१२. ( १ ) कलम ९ प्रमाणे कोई खोराकनी वस्तू अगर नमूनो पृथक्करण करवा माटे मोकलतां पहेलां खरीद करनारे

खोराकनी वस्तु अगर नमूनो पृथक्करण माटे मोकलतां पहेलां वेचनारने खबर आपवो.

( क ) ते वस्तु अगर नमुनानुं पृथक्करण करावबानो पोतानो इरादो छे एवी वेचनारने खबर आपवी.

( ख ) तेज वखते अने तेज जग्याए

( १ ) ते वस्तुना अगर नमुनाना त्रण भाग करवानी, अने

( २ ) ते दरेक भाग उपर, तेना प्रकारने अनुसरीने बनी शके तेवी रीते निशान करवानी, मोहोर करवानी अने बांधी लेवानी

पोतानी तैयारी बतावबी, अने

( ग ) ते प्रमाणे करवानुं ते वस्तु अगर नमूनो वेचनार कहे तो ते प्रमाणे करवुं अने तेमांनो एक भाग वेचनारने अगर तेना आडतियाने आपवो.

( २ ) ( क ) खरीदेली वस्तु अगर नमुनाना, वेचनार अगर आडतियानी देखतां भाग करवानी खरीददारनी मागणी वेचनार अगर तेनो आडतियो, जेम होय तेम, कबूल करे नहीं तो, जे पृथक्करण करनारने ते वस्तु अगर नमूनो मळे तेणे

वस्तु अगर नमुनाना भाग न कर्या होय त्यारे करवानी तजवीज.

(१) तेना बे भाग करवा, अने

(२) तेमांनो एक भाग बंध करान तेना उपर मोहार करवी अने

(३) (अ) ते वस्तु अगर नमूनो लेती वखतेज अथवा
(आ) खरीददारने प्रमाणपत्र आपती वखते
ते भाग खरीददारने आपवो,

(ख) खरीददारे ते भाग, ते वस्तु अगर नमूनाना संबंधमां पाछळथी कोई काम चलाववामां आवे तेमां रज करवा माटे राखी मूकवो.

१३. जो कलम १० प्रमाणे योग्य अधिकारवाळो कोई तपासनीस

तपासनीसने खोराक वेचवानी ना कहेनारने शिक्षा.

**प्रसंग.**

(क) (१) जथाबंध अगर छूटक छुटक वेचवा माटे बनावेलो, खुल्ली मूकेली अगर कहाडेली कोई खोराकनी वस्तु अगर नमूनो खरीदवानुं कहे अने

(२) पृथक्करण करावबा माट जटला प्रमाणमां तेणे ते वस्तु अगर नमूनानी जरूर होय तेनी किंमत आपवा मांडे अने ते प्रमाण वास्तविक रीते जेटलुं जरूरनुं होय तेनाथी वधारे न होय

अने

(ग) जे सखसे ते खोराक वेचवा माटे बनाव्यो होय, खुल्लो मूक्यो होय अगर कहाडेयो होय ते सखस खोराक अगर नमूनो वेचवानी ना कहे

**परिणाम**. तो ते ना कहेनार सखस बसो रुपिया सुधीना दंडने पात्र थशे.

## बाब ४ थो.

### फरकोळ.

१४. (१) आ भाग मुजबना गुन्हांनो इन्साफ करवानो अधिकार बीजा वर्गथी उतरता दरज्जाना न होय एवा हकुमतवाळा साधारण फोजदारी न्यायाधीशने छे.

इन्साफ करवानो अधिकार.

(२) आ भाग मुजबना कोई गुन्हा माटे, आरोपी पासेथी जे दंड वसूल करवामां आवे ते दंडनी रकमनी व्यवस्था हजूर वखतो वखत ठरावे ते प्रमाणे करवी.

दंडनी व्यवस्था.

१५. (१) आ भाग मुजबना गुन्हानी कोईपण फरियाद, पृथक्करण करनारे आपेला प्रमाणपत्रनी तारीखथी त्रीस दिवसनी अंदर करवामां आवी न होय तो, तेना उपरथी कोईपण सखस उपर काम चलावबुं नहीं.

फरयाद करवानी मुदत.

(२) आ निबंध मुजब गुन्हानी फरियादना काममां आरोपी उपर आव्हानपत्र कहाडवामां आवे तेमां

(क) जे गुन्हानुं तहोमत होय तेनी विगत अने

(ख) फरियादीनुं नाम अने

(ग) सुनावणीनी तारीख तथा जग्या

ए जणाववुं.

आरोपी उपरना आव्हानपत्रमां शुं होवुं जोईए.

(३) आरोपीने आव्हानपत्र पहोंचे ते तारीखथी ओछामां ओछा पूरा सात दिवस व्रीती जाय नहीं त्यांसुधी फरियादनुं काम चलावबुं नहीं.

काम क्यारे चलावबुं नहीं.

१६. (१) आ भाग प्रमाणे चालतां कोई काममां पृथक्करण करनार आपेलुं नमूना निशानी १ मुजबनुं प्रमाणपत्र रजू करवामां आवे तो ते, विरुद्ध शाबित करवामां आवे नहीं तो, तेमां लखेली हकीकत माटे पूरतो पुरावो गणाशे.

प्रमाणपत्र तेमां लखेली हकीकत बाबत पुरावो गणाशे.

(२) (क) न्यायाधिशी पोते थईने अगर फरियादी अथवा आरोपीनी मागणी उपरथी खोराकनी कोई वस्तु अगर नमूनो पृथक्करण माटे सरकारी रसायन परीक्षक (केमिकल एनालाईझर) तरफ मोकलवा मुखत्यार छे.

सरकारी रसायन परीक्षकने लखी मोकलवा बाबत.

(ख) रसायन परीक्षके बनती त्वराथी पृथक्करण करवुं अने परिणामनुं निवेदन न्यायाधिशी तरफ मोकलवुं.

(ग) आवा पृथक्करणनो खर्च न्यायाधिशी फरमावे ते प्रमाणे फरियादीए के आरोपीए आपवो जोईए.

१७. आ भाग मुजबना गुन्हा माटे जे कोई सखस उपर काम चालतुं होय ते सखस, कलम ८ प्रमाणे निमायला पृथक्करण करनार शिवाय बीजा कोई खानगी पृथक्करण करनारनुं पृथक्करणना परिणामनुं प्रमाणपत्र पोतानी तरफथी पुरावामां रजू करवा धारतो होय तो तेणे, बचाव शरू करवा

कलम ८ प्रमाणे निमायला पृथक्करण करनार शिवायना खानगी पृथक्करण करनारनुं प्रमाणपत्र-

माटे जे तारीख नीमी होय ते तारीख पहेलां निदान त्रण दिवस अगाऊ एवा प्रमाण पत्रनी एक नकल जे सखस फरियादनुं काम चलावतो होय तेना तरफ मोकलवी जोईए.

१८. आ भाग प्रमाणे गुन्हो कर्यानुं जे सखस उपर तोहोमत होय ते सखस, जे खोराकनी वस्तु अगर नमूनाना संबंधमां गुन्हो बन्यानुं कहेवातुं होय ते वस्तु अगर नमूनानुं पृथक्करण करनार पृथक्करण करनारने साक्षी तरीके बोलाववानी मागणी करवा मुखत्यार छे. एवी मागणी थाय एटले न्यायाधिशीए ते पृथक्करण करनारने बोलाववो.

पृथक्करण करनारने न्यायाधिशीमां साक्षी तरीके बोलाववा.

१९. (१) आ भाग प्रमाणे निमायेला कोईपण तपासनीसने, जे जग्या कोई खोराक बनाववाने माटे अगर वेचवाने माटे वपराय छे एम मानवाने तेने कारण होय ते जग्यामां अगर जग्या उपर कोईपण योग्य वखते, आ निंबधना कोईपण कारण सारू दाखल थवानो अधिकार छे.

जग्यामां दाखल थवानो अधिकार.

(२) परंतु एम ठरावामां आवे छे के, एवी रीते दाखल थवामां ते जग्यानो भोगवटो करनारना सामाजिक अथवा धार्मिक रिवाज तरफ योग्य लक्ष राखवुं जोईए.

धार्मिक रिवाजने मान आपवा बाबत.

२०. आ भागना अगर आ निंबध अन्वये कायदेसर रीते करेला कोई नियमना अगर हुकमना कोई ठरावथी जे सखस उपर जे फरज नांखवामां आवी होय अगर अधिकार आपवामां आव्यो होय तेनी रुईए तेणे जे कांई कृत्य शुद्धबुद्धीथी कर्युं होय तेने माटे ते कंईपण दंड अगर नुकशानी आपवाने जवाबदार गणाशे नहीं.

शुद्धबुद्धाथा करला कृत्य बाबत जवाबदारी.

२१. आरोग्यरक्षण अधिकारी हजूर मंजुरीथी अने संबंधकर्ता स्थानिक संस्थाना अभिप्राय मेळवीने आ निंबधथी विरुद्ध न होय एवा नीचेनी बाबतो विषे नियमो करवा मुखत्यार छे:—

नियमो.

(क) तपासनीसनी निमणूकना नियमन बाबत,

(ख) तपासनीसनी लायकात ठरावना बाबत,

(ग) खोराकनी वस्तुना सामान्य द्रव्योमां केटली अने केवी उणप होय तो, अगर बाजी चीज केटली अने केवी उमेरवामां आवे तो, ते खोराकनी वस्तु विरुद्ध शाबित करवामां न आवे तो,

(१) कलम ९ ना अर्थ प्रमाणे तन्दुरस्तीने हानिकारक गणाय अगर.

(२) कलम ६ ना अर्थ प्रमाणे, ते वस्तु जे प्रकारनी, द्रव्यनी अगर जातनी जणाती होय ते प्रकारनी, द्रव्यनी अगर जातनी ते नथी एम गणाय

ते ठरावबा बाबत,

(घ) सामान्य रीते आ निर्बंधनो हेतू पार पाडवा माटे बीजी कोईपण बाबत संबंधी.

# भाग २ जो.

## बाब १ लो.

### गामां भेळसेळ करवा सामे अने भेळसेळवाळी दवा वेचवा सामे प्रतिबंध.

दवानो अर्थ.

"दवा" ए शब्दमां खावानी, पीवानी, गळवानी, पिचकारीथी लेवानी तथा लगाडवानी बधी जातनी दवानो समावेश थाय छे

हानिकारक वसाणा साथे दवानुं मिश्रण करवा माटे अगर एवी दवा वेचवा माटे शिक्षा.

२३. (१) जे सखस

(क) कोई दवाने, बीजी कोई चीज अगर वसाणा साथे अगर ते वडे, ते दवा हलकी जातनी अगर ओछी असरकारक थाय एवी रीते

प्रसंग.

(१) भेळवे, रंगे, डाघ पाडे अगर भूको करे अथवा

(२) बीजा कोई सखसने भेळववाने, रंगवाने, डाघ पाडवाने अगर भूको करवाने हुकम करे अगर परवानगी आपे

एवा इरादाथी के ते दवा एवी स्थितिमां वेचवामां आवे, अथवा

(ख) एवी रीते भेळवेली, रंगेली, डाघ पाडेली अगर भूको करेली एवी कोई दवा ते वेचे अगर वेचवानुं कहे अगर वेचवा माटे देखाडे

ते

परिणाम.

(अ) पहेला गुन्हा माटे पांचसो रुपिया सुधीना दंडनी अने

(आ) पछीना दरेक गुन्हा माटे एक हजार रुपिया सुधीना दंडनी

शिक्षाने पात्र थशे.

(२) परंतु एम ठरावत्रामां आवे छे के कोई सखस जे न्यायाधिशी आगळ तेना उपर तोहोमत मूकवामां आव्युं होय ते न्यायाधिशीनी एवी खात्री करी आपे के

शिक्षा क्यारे थशे नहीं.

(क) दवा पेटाकलम (१) नी रकम (क) मां जणाव्या प्रमाणे भेळवेली छे, रंगेली छे; डाघ पाडेली छे अगर भूको करेली छे एवी तेने खबर नहोती अने

(ख) योग्य तत्परता वापर्या छतां पण तेने तेवी खबर मळी शके एम नहोतुं

तो ते सखसने तेवी दवाना वेचाणना गुन्हा माटे गुन्हेगार ठरावी शकाशे नहीं.

२४. (१) जे सखस जे प्रकारनी, द्रव्यना अगर जातनी ते दवा जणाती होय ते प्रकारनी द्रव्यनी अगर जातनी न होय एवी कोई दवा

योग्य प्रकारनी न होय एवी दवानां वेचाण माटे बनावट करवा माटे शिक्षा.

प्रसंग (क) वेचे,

(ख) वेचाव.

(ग) बनावे

(घ) वेचवानुं कहे अगर

(ङ) वेचवा माटे मूके

ते

परिणाम. अ) दरेक पहेला गुन्हा माटे बसो रुपिया सुधीना दंडनी अने

आ) पछीना दरेक गुन्हो माटे एक हजार रुपिया सुधीना दंडनी

शिक्षाने पात्र थशे.

२) परंतु एम ठरावत्रामां आवे छे के नीचेना कोईपण प्रसंगे आ कलम प्रमाणे गुन्हो करेलो गणाशे नहीं एटले के,

गुन्हो बनेलो क्यारे गणाशे नहीं.

(क) कोई दवाने वेपारना माल तरीके लाववा लई जवा माटे अगर उपभोग माटे लायक करवा सारू तेनी बनावटमां अगर ते तैयार करवामां कोई चीज अगर वसाणानी जरूर पडती होय ते कारणथी, तन्दुरस्तीने हानिकारक न होय

एवी चीज अगर वसाणा ते वस्तुमां उमेर्यो होय अने तेम ते दवा प्रमाण, वजन अगर मापमां वधारो करवाने अगर तेनी हलकी जात छुपावबाने दगलबाजीथी करेलुं न होय तो,

( ख ) ज्यारे

( १ ) ( अ ) तन्दुरस्तीने हानिकारक न होय एवी कोई चीज अगर वसाणुं कोई दवामां उमेरवामां आव्युं होय, अगर तेनी साथे भेळववामां आव्युं होय अगर तेमांथी काढी लेवामां आव्युं होय, अगर

( आ ) कोई दवा तन्दुरस्तीने हानिकारक न होय एवी कोई चीज अगर वसाणानी बनेली होय

अने

( २ ) ए दवामां एवी चीज अगर वसाणुं उमेर्युं होय छे अगर तेमां भेळव्युं छे अगर तेमांथी कहाडी लीधुं छे अगर ते दवा एवी चीज अगर वसाणानी बनेली छे ए हकीकत, आ बाबत नियमथी ठरावबामां आवे ते शरतोने अनुसरीने चोढेली चिठ्ठीथी, ते दवा वेचतां पहेलां ते वेचनारे खरीददारना ध्यान उपर आणी होय

त्यारे.

टीप:—जे जग्यानो दवा बनाववाने माटे उपयोग थतो होय तेवी कोई जग्यामां एवी कोई दवा मळी आवे तो, विरुद्ध शाबित करवामां न आवे त्यां सुधी, ते दवा वेचवाने माटे बनाववामां आवी छे एवुं अनुमान थशे.

( ३ ) ( क ) आ कलम प्रमाणे मांडेली फरियादमां वेचनार एवो बचाव करे के

आ कलम प्रमाणे मांडेली फरियादमां केवो बचाव मान्य रखाशे नहीं.

( १ ) वेचेली दवाना प्रकार, द्रव्य अगर जातनी तेने खबर नहोती अगर

( २ ) प्रकार, द्रव्य अगर जात ए त्रणे बाबतो संबंधी वेचेली दवा खामीवाळी नथी

तो ते बचाव मान्य रखाशे नहीं.

(ख) परंतु एम ठरावामां आवे छे के, न्यायाधिशीनी खात्री थाय एवी रीते वेचनार शाबित करी आपे के

प्रसंग.

(१) वेचेली दवा, खरीदनारे जे प्रकारनी, द्रव्यनी अने जातनी मागेली तेज प्रकारनी, द्रव्यनी अने जातनी दवा तरीके, अने तेवा प्रकारनी द्रव्यनी अने जातनी ते दवा छे एवी लेखी खात्री साथे तेणे वेचनारे आडतिया तरीके खरीदी अगर मेळवी हती,

(२) तेणे ते दवा वेची ते वखते ते तेवा प्रकारनी द्रव्यनी अगर जातनी नथी एवुं मानवाने तेने कंई कारण नहोतुं, अने

(३) तेणे जे स्थितिमां खरीदी हती तेज स्थितिमां वेची हती

परिणाम. तो तेणे आ कलम प्रमाणे गुन्हो कर्यो छे एम गणी शकाय नहीं.

२५. जे सखस तेणे मुख्य अगर आडतियाना संबंधथी वेचेली कोई दवाना संबंधमां खरीदनारने खोटी लेखी खात्री आपे ते शिक्षा.

खोटी खात्री आपवा माटे शिक्षा.

प्रसंग.

(क) पहेला गुन्हा माटे पांचसो रुपिया सुधीना दंडनी अने

परिणाम. (ख) पछीना दरेक गुन्हा माटे एक हजार रुपिया सुधीना दंडनी शिक्षाने पात्र थशे.

## बाब २ जो.

### पृथक्करण करनार अने तपासनीस.

२६. आ निबंधना कारण सारू कोईपण स्थानिक प्रदेशने माटे पृथक्करण करनार तरीके ते बाबतमां निपुणता अने अनुभव धरावनार कोईपण लायक सखसने स्थानिक संस्थाए हजर मंजुरीथी निमवो अने ते विषेनी जाहेरात आज्ञापत्रिकामां प्रसिद्ध करवी.

पृथक्करण करनारनी निमणूक.

२७. (१) दवा खरीदनार कोईपण सखसने, खरीद्या पछी

दवानु पृथक्करण करावनानोते वेचाती हक्क लेनारनो

(क) जे स्थानिक प्रदेशमां ते वस्तु खरीदी होय ते प्रदेशना पृथक्करण करनार पासे ते वस्तुनुं पृथक्करण करावनानो अने

( ख ) ते पृथक्करणना परिणामनुं प्रमाणपत्र नमूना निशानी ( २ ) प्रमाणे मेळववानो हक्क छे.

पृथक्करण माटे आपवानी लागत.

( २ ) पेटाकलम (१) प्रमाणे पृथक्करण करावनारे पृथक्करण करवानी मागणी करती वखते हजूर मंजुरीथी आरोग्यरक्षण अधिकारी आ बाबत जे लागत ठरावी आज्ञापत्रिकामां प्रसिद्ध करे ते लागत आपवी पडशे.

नियमो ध्यानमां राखवा.

( ३ ) पृथक्करण करनारे, प्रमाणपत्र आपवामां कलम ३९ प्रमाणे आरोग्य-रक्षण अधिकारीए करेला नियमो ध्यानमां राखवा.

प्रमाणपत्रनी नकल स्थानिक संस्थाने मोकलवी.

( ४ ) पृथक्करण करनारे, पृथक्करणना परिणामना प्रमाणपत्रनी एक नकल तुरत पोताना स्थानिक प्रदेशनी स्थानिक संस्था तरफ मोकलवी.

तपासनीसनी निमणूक.

२८. आरोग्यरक्षण अधिकारी हजूर मंजुरीथी आ बाबत नियमो करे तेने अनुसरीने स्थानिक संस्थाए आ निबंधना कारण सारू कोईपण सखसने

( क ) कोई अमूक दवा माटे विशेष रीते अगर

( ख ) बधी दवाओ माटे सामान्य रीते

तपासनीस निमवो.

तपासनीसे दवानी वस्तु मेळ-ववा बाबत.

२९. ( १ ) कोईपण तपासनीस, पोते थईने अगर बीजा कोईनी मारफत, कोई दवा अगर तेनो नमूनो मेळववा मुखत्यार छे.

पृथक्करण करनार तरफ मोक-लवा बाबत.

( २ ) ते दवा आ निबंधना ठरावोनुं उल्लंघन करीने वेचवामां आवी छे एम तेने शंका आवे तो तेणे ते, जे स्थानिक प्रदेश-मांथी ते दवा मेळवी होय ते प्रदेशना पृथक्करण कर-नार तरफ मोकलवी.

( ३ ) ते पृथक्करण करनारे

पृथक्करण करनारे पृथक्करण करवुं.

( क ) कलम २७ नी पेटाकलम (२) प्रमाणे लागत लीधा पछी बनती उतावळे ते दवानुं पृथक्करण करवुं अने

(ख) पृथक्करणना परिणाम बाबत प्रमाणपत्र नमूना निशान १ मुजब आपवु अने

(ग) तेनी एक नकल तुरत पोताना स्थानिक प्रदेशनी स्थानिक संस्था तरफ मोकलवी.

३०. (१) कलम २७ प्रमाणे कोई दवा अगर नमूनो पृथक्करण माटे मोकलतां पहेलां खरीद करनारे

दवा अगर नमूनो पृथक्करण माटे मोकलतां पहेलां वेचनारने खबर आपवी.

(क) ते दवा अगर नमूनानुं पृथक्करण करावववानो पोतानो इरादो छे एवी वेचनारने खबर आपवी,

) तेज वखते अने तेज जग्याए

(१) ते दवाना अगर नमूनाना त्रण भाग करवानो अने

(२) ते दरेक भाग उपर, तेना प्रकारने अनुसरीने बनी शके तेवी रीते निशान करवानी, मोहोर करवानी अने बांधी लेवानी

पोतानो तैयारी बतावी, अने

(ग) ते प्रमाणे करवानुं ते दवा अगर नमूनो वेचनार कहे तो ते प्रमाणे करवुं अने तेमांनो एक भाग वेचनारने अगर तेना आडतियाने आपवो.

(२) (क) खरीदेली दवा अगर नमूनाना वेचनार अगर तेना आडतियानी देखतां भाग करवानी खरीददारनी मागणी वेचनार अगर तेनो आडतियो, जेम होय तेम, कबूल करे नहीं तो, जे पृथक्करण करनारने

दवा अगर नमूनाना भाग न कर्या होय त्यारे करवानी तजवीज.

ते दवा अगर नमूनो मळे तेणे

(१) तेना बे भाग करवा, अने

(२) तेमांनो एक भाग बंध करीने तेना उपर मो करवी अने

(३) (अ) ते वस्तु अगर नमूनो लेती वखतेज अथवा (आ) खरीददारने प्रमाणपत्र आपती वखते ते भाग खरीददारने आपवो.

(ख) खरीददारे ते भाग, ते वस्तु अगर नमूनाना संबंधमां पाछळथी कोई काम चलावावामां आवे तेमां रजू करवा माटे राखी मूकवो.

३१. जो कलम २८ प्रमाणे योग्य अधिकारवाळो कोई तपासनीस

तपासनीसने दवा वेंचवानी ना कहेनारने शिक्षा.

प्रसंग.

(क) (१) जथाबंध अगर छूटक छूटक वेचवा माटे बनावेली, खुल्ली मूकेली अगर कहाडेली कोई दवा अगर नमूनो खरीदवानुं कहे अने

(२) पृथक्करण करावबा माटे जेटला प्रमाणमां तेणे ते दवा अगर नमूनानी जरूर होय तेनी किंमत आपवा मांडे अने ते प्रमाण वास्तविक रीते जेटलुं जरूरनुं होय तेनाथी वधारे न होय

अने

(ख) जे सखसे ते दवा वेचवा माटे बनावी होय, खुल्ली मूकी होय अगर कहाडी होय ते सखस दवा अगर नमूनो वेचवानी ना कहे

परिणाम.

तो ते ना कहेनार सखस बसो रुपिया सुधीना दंडने पात्र थशे.

## बाब ३ जो.

### किरकोळ.

३२. (१) आ बाब मुजबना गुन्हानो इन्साफ करवानो अधिकार बीजा वर्गथी उतरता दरज्जाना न होय एवा हकुमतवाळा साधारण फोजदारी न्यायाधीशने छे.

इन्साफ करवानो अधिकार.

(२) आ भाग मुजबना कोई गुन्हा माटे, आरोपी पासेथी जे दंड वसूल करवामां आवे ते दंडनी रकमनी व्यवस्था हजूरे वखतोवखत ठरावे ते प्रमाणे करवी.

दंडनी व्यवस्था.

३३. (१) आ भाग मुजबना गुन्हानी कोईपण फरियाद, पृथक्करण करनारे आपेला प्रमाणपत्रनी तारीखथी त्रीस दिवसनी अंदर करवामां आवी न होय तो, तेना उपरथी कोईपण सखस उपर काम चलावबुं नहीं.

फरियाद करवानी मुदत.

(२) आ भाग मुजब गुन्हानी फरियादना काममां आरोपी उपर आव्हानपत्र कहाडवामां आवे तेमां

आरोपी उपरनां आव्हानपत्रमां शुं होवुं जोईए.

(क) जे गुन्हानु ताहामत होय तना विगत अने

(ख) फरियादानु नाम अन

ग) सुनावणीनी तारीख तथा जग्या

ए जणाववुं.

(३) आरोपीने आव्हानपत्र पोहोंचे ते तारीखथी ओछामां ओछा पूरा सात दिवस बीती जाय नहीं त्यां सुधी फरियादनुं काम चलाववुं नहीं.

काम क्यारे चलाववुं नहीं.

३४. (१) आ भाग प्रमाणे चालता कोई काममां पृथक्करण करनारे आपेलुं नमूना निशानी २ मुजबनुं प्रमाणपत्र रजू करवामां आवे तो, ते विरुद्ध शाबित करवामां आवे नहीं तो, तेमां लखेली हकीकत माटे पूरतो पुरावो गणाशे.

प्रमाणपत्र तेमां लखेली हकीकत बाबत पुरावो गणाशे.

२) (क) न्यायाधिशी पोते थईने अगर फरियादी अथवा आरोपीनी मागणी उपरथी कोई दवा अगर नमनो पृथक्करण माटे सरकारी रसायन परीक्षक (केमिकल एनालाईझर) तरफ मोकलवा मुखत्यार छे.

सरकारी रसायन परीक्षकने ते मोकलवा बाबत.

(ख) रसायन परीक्षक बनती त्वराथी पृथक्करण करवुं अने परिणामनुं निवेदन न्यायाधिशी तरफ मोकलवुं.

(ग) आवा पृथक्करणनो खर्च न्यायाधिशी फरमावे ते प्रमाणे फरीयादीए के आरोपीए आपवो जोईए.

३५. आ भाग मुजबना गुन्हा माटे जे कोई सखस उपर काम चालतुं होय ते सखस, कलम २६ प्रमाणे निमायला पृथक्करण करनार शिवाय बीजा कोई खानगी पृथक्करण करनारनुं पृथक्करणना परिणामनुं प्रमाणपत्र पोतानी तरफथी पुरावामां रजू करवा धारतो होय तो तेणे, बचाव शरू करवा माटे जे तारीख नीमी होय ते तारीख पहेलां निदान त्रण दिवस अगाऊ एवा प्रमाणपत्रनी एक नकल जे सखस फरियादनुं काम चलावतो होय तेना तरफ मोकलवी जोईए.

कलम २६ प्रमाणे निमाएला पृथक्करण करनार शिवायना खानगी पृथक्करण करनारनुं प्रमाणपत्र.

३६. आ भाग प्रमाणे गुन्हो कर्यानुं जे सखस उपर तोहोमत होय ते सखस, जे दवा अगर नमूनाना संबधमां गुन्हो बन्यानुं कहेवातुं होय ते दवा अगर नमुनानुं पृथक्करण करनार पृथक्करण करनारने साक्षी तरीके बोलाववानी मागणी करवा मुखत्यार छे. एवी मागणी थाय एटले न्यायाधिशीए ते पृथक्करण करनारने बोलाववो.

पृथक्करण करनारने न्यायाधिशीमां साक्षी तरीके बोलाववा.

३७. ( १ ) आ भाग प्रमाणे निमायेला कोईपण तपासनीसने, जे जग्या कोई दवा बनावबाने माटे अगर वेचवाने माटे वपराय छे एम मानवाने तेने कारण होय ते जग्यामां अगर जग्या उपर कोईपण योग्य वखते, आ निंबधना कोईपण कारण सारू दाखल थवानो अधिकार छे.

जग्यामां दाखल थवानो अधिकार.

( २ ) परंतु एम ठरावबामां आवे छे के, एवी रीते दाखल थबामां ते जग्यानो भोगवटो करनारना सामाजिक अथवा धार्मिक रिवाज तरफ योग्य लक्ष राखवुं जोईए.

धार्मिक रिवाजने मान आपवा बाबत.

३८. आ भागना अगर आ निंबध अन्वये कायदेसर रीते करेला कोई नियमना अगर हुकमना कोई ठरावथी जे सखस उपर जे फरज नांखवामां आवी होय अगर अधिकार आपवामां आव्यो होय तेनी रुईए तेणे जे कांई कृत्य शुद्धबुद्धीथी कर्युं होय तेने माटे ते कांईपण दंड अगर नुकशानी आपवाने जवाबदार गणाशे नहीं.

शुद्धबुद्धीथी करेला कृत्य बाबत जबाबदारी.

३९. आरोग्यरक्षण अधिकारी हजूर मंजुरीथी अने संबंधकर्ता स्थानिक संस्थाना अभिप्राय मेळवीने आ निंबधथी विरूद्ध नहोय एवा नीचेनी बाबतो विषे नियमो करवा मुखत्यार छे:-

नियमो.

( क ) तपासनीसनी निमणूकना नियमन बाबत,

( ख ) तपासनीसनी लायकात ठरावबा बाबत,

( ग ) दवाना सामान्य द्रव्योमां केटली अने केवी उणप होय तो, अगर बीजी चीज केटली अने केवी उमेरबामां आवे तो, ते दवा विरुद्ध शाबित करवामां न आवे तो,

( १ ) कलम २३ ना अर्थ प्रमाणे हलकी जातनी अने ओछी असरकारक गणाय अगर

( २ ) कलम २४ ना अर्थ प्रमाणे, ते दवा जे प्रकारनी, द्रव्यनी अगर जातनी जणाती होय ते प्रकारनी, द्रव्यनी अगर जातनी ते नथी एम गणाय

ते ठरावबा बाबत,

( घ ) सामान्य रीते आ निंबधनो हेतू पार पाडवा माटे बीजी कोईपण बाबत संबंधी.

तारीख १० माहे एप्रिल सन १९३४.

पु. वा. म.

गो कृ. दांडेकर,
न्यायमंत्री.

## नमूनो निशानी १.

(जूआ कलम ११.)

## प्रमाणपत्रनो नमूनो.

हुं नीचे सही करनार _____ १ _____ ना स्थानिक प्रदेशनो पृथक्करण करनार _____ २ _____ ने आथी दाखलो आपुं छुं के मने तारीख _____ माहे _____ सन १९ _____ ना रोज _____ ३ _____ तरफथी _____ ४ _____ एटली वस्तुओ पृथक्करण करवा माटे मळेली तेनुं वजन ते वखते _____ हतुं. में तेने पृथक्करण कर्युं छे. अने तेनुं परिणाम नीचे प्रमाणे छे.

६ मारो अभिप्राय एवो छे के ए वस्तु शुद्ध _____ नो नमुनो छे अगर

७ मारो अभिप्राय एवो छे के ए वस्तुमां नीचे प्रमाणे जदां जूदां द्रव्यो तेनी सामे बतावेला प्रमाणमां हता.

८

९ नोंध.

## समजूत.

१. अहीं जे स्थानिक प्रदेश माटे निमणूक होय ते प्रदेशनुं नाम लखवुं.

२. जेणे प्रमाणपत्रनी मागणी करी होय तेनुं नाम लखवुं.

३. जे सखस पृथक्करण करवानी वस्तु लई आव्यो होय तेनुं नाम लखवुं.

४. जे वस्तुओ मळी होय ते वस्तुओ बतावबी.

५. वजन बतावबुं. वजन थई शके एवी स्थितिमां वस्तु न होय तो जग्या पोली राखवी.

६. }
७. } आ बेमांथी जे अभिप्राय थता होय ते राखी बाजा छेकी नाखवा.

८. वस्तु भेळसेळवाळी छे एवो अभिप्राय थतो होय तो जूदां जूदां द्रव्यो तथा प्रमाण बतावबां.

९. अहीं पृथक्करण करनारने योग्य जणाय तो, ते वस्तुने पीवा लायक अगर स्वादिष्ट बनावबाने माटे अगर तेनें वधारे वखत सारी स्थितिमां राखवाने माटे, अगर तेनो देखाव सुधारवाने माटे मिश्रण करवामां आव्युं हतुं के केम अथवा एवुं मिश्रण करवानुं अनिवार्य हतुं के केम ते बाबत पोतानो अभिप्राय जणावबो अने एवुं मिश्रण साधारण करतां वधारे प्रमाणमां कर्युं हतुं के केम अने वसाणां मेळव्यां हतां ते तन्दुरस्तीने हानिकारक हतां केम ते पण जणावबुं. दूध, माखण अगर बगडी जाय एवा पदार्थना संबंधमां पृथक्करण करवामां हरकत थाय तेवी रीते ते वस्तुमां पृथक्करण करतां सुधीमां कंई फेरफार थयो हतो के केम ते पृथक्करण करनारने विशेष रीते जणावबुं.

## नमूनो निशानी २.

(जूओ कलम २९)

## प्रमाणपत्रनो नमूनो.

हुं नीचे सही करनार _____ १ _____ ना स्थानिक प्रदेशनो पृथक्करण करनार _____ २ _____ ने आथी दाखलो आपुं छुं के मने तारीख _____ माहे _____ सन १९ _____ ना रोज _____ ३ _____ तरफथी ४ _____ एटली दवाओ पृथक्करण करवा माटे मळेली तेनुं वजन जे ते वखते _____ ५ _____ हतुं. में तेनुं पृथक्करण कर्युं छे. अने तेनुं परिणाम नीचे प्रमाणे छे.

६ मारो अभिप्राय एवो छे के ए दवा शुद्ध _____ नो नमूनो छे अगर

७ मारो अभिप्राय एवो छे के ए दवामां नीचे प्रमाणे जूदां जूदां द्रव्यो तेनी सामे बतावेला प्रमाणमां हतां.

८

९ नोंध. सही.

## समजूत.

१. अहीं जे स्थानिक प्रदेश माटे निमणूक होय ते प्रदेशनुं नाम लखवुं.

२. जेणे प्रमाणपत्रनी मागणी करी होय तेनुं नाम लखवुं.

३. जे सखस पृथक्करण करवानी वस्तु लई आव्यो होय तेनुं नाम लखवुं.

४. जे दवाओ मळी होय ते वस्तुओ बतावती.

५. वजन बतावतुं. वजन थई शके एवी स्थितिमां वस्तु न होय तो जग्या पोली राखवी.

६. } आ वेमांथी जे अभिप्राय थतो होय ते राखी, बीजो छेकी नांखवो.
७. }

८. दवा भेळसेळवाळी छे एवो अभिप्राय थतो होय तो जूदां जूदां द्रव्यो तथा प्रमाण बतावतां.

९. अहीं पृथक्करण करनारने योग्य जणाय तो, ते दवाने पीवा लायक अगर स्वादिष्ट बनावतने माटे अगर तेने वधारे वखत सारी स्थितिमां राखवाने माटे अगर तेनो देखाव सुधारवाने माटे, मिश्रण करवामां आव्युं हतुं के केम अथवा एवुं मिश्रण करवानुं अनिवार्य हतुं के केम ते बाबत पोतानो अभिप्राय जणावतो अने एवुं मिश्रण साधारण करतां वधारे प्रमाणमां कर्युं हतुं के केम अने वसाणा मेळव्यां हतां ते तन्दुरस्तीने हानिकारक हतां के केम ते पण जणावतुं. दवाना संबंधमां पृथक्करण करवामां हरकत थाय तेवी रीते तेमां पृथक्करण करतां सुधीमां कंई फेरफार थयो हतो के केम ते पृथक्करण करनारने विशेष रीते जणावतुं.

# तुलना दर्शक पत्रक,

| खोराकना पदार्थोमां तथा दवामां भेळसेळ थती अटकावना विषे निबंधनी कलम. | मुंबईना प्रीव्हेन्शन ऑफ एडल्टरेशन एक्ट (सन १९२५ नो ५ मो ) नी कलम | निबंधनी कलम. | मुंबइना कायदानां कलम. |
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| २ (१) | १ (२) | १३ | ११ |
| २ (२) | १ (३) | १४ | १२ |
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| | | १६ | १४ |
| | | १७ | १५ |
| ३ | ० | १८ | १६ |
| ४ | २ | १९ | १७ |
| ५ | ३ | २० | १८ |
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| ६ (३) | ४ (३) | २३थी३९ | आ कलमोमां दवा संबंधी धोरणो खोराकना धोरणोने अनुसरीने दाखल करेलां छे. |
| ७ | ५ | | |
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# REGULATION NO. 18 of 1934

OF THE GOVERNMENT OF HIS HIGHNESS THE GAIKWAR & BARODA, TO PREVENT THE ADULTERATION OF FOOD STUFFS MEDICINES.

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# REGULATION TO PREVENT THE ADULTERATION OF FOODSTUFFS AND DRUGS.

OBJECT.

WHEREAS it is expedient to prevent the adulteration of foodstuffs and drugs and to control the sale of such adulterated foodstuffs and drugs, His Highness the Gaikwar is pleased to enact as follows:-

## Part 1.

SHORT TITLE.

1. This Act may be called the Regulation to prevent the adulteration of Food Stuffs and drugs.

EXTENT.

WHEN IT SHALL COME INTO FORCE.

2. The first part of this Regulation shall come into force on the 26th June 1934 in the City of Baroda and at other places from the dates that may be fixed in Sec. 3.

The second part shall come into force in the several localities as and when under His Highness' orders, the places and dates are notified in the Gazette.

ANNULMENT OF CRIMINAL LAW SECTIONS.

3. From the day on which the first part of this Regulation comes into force at any place, Sections 234 and 235 of ~~Criminal Law~~ Police Regn. shall be deemed as cancelled.

When the sectond part of the Law is enforced at any place, ~~Criminal Law~~ Police Regn. Sections 236 and 238 shall be annulled at that place from the date of such enforcement.

THE PRAYER OF THE LOCAL AUTHORITIES AT PLACES OTHER THAN THE CITY OF BARODA FOR THE APPLICATION OF THE LAW TO THEIR LOCALITIES.

(1) Should the local bodies at other places desire the application of the first part of this law to their localities, an application to that effect shall be made to the Prant-Suba (District C...

ACTION TO BE TAKEN BY THE SUBA.

(2) [Action by the Suba on the application:]

Should an application in accordance with Sub-Section (1) be received, the Suba shall submit the same to the ~~Director~~ minister of Health.

(3) The Minister of Health shall with his opinion submit the application to His Highness.

HIS HIGHNESS ALONE TO SANCTION.

(4) It shall be within his competence for His Highness to pass on such application such orders as he may deem fit.

(5) Should His Highness be pleased to order the enforcement of the law at the desired localities, the Minister of Heal shall notify the sanction and the date from which it shall come into force.

THE MINISTER OF HEALTH TO NOTIFY.

Should the prayer be not sanctioned, the intimation to that effect shall be communicated to the applicant body by th Health Minister through the Suba.

ENFORCEMENT OF PART 11.

(6) For the enforcement of the 2nd part of the law, arrangement shall be made in accordance with the conditions mentioned in Sub-Sections (1) to (5).

But in this connection, the Minister of Health shall ascertain the opinion of the Head of the Medical Department.

4. INTERPRETATION.

In Unless there be something repugnant the subject or context:

~~Director~~ minister of Health means the Officer who is entrusted by His Highness with th powers to do the duties in accordance wi this Regulation which the ~~Director~~ minister of Health has ordinarily to do.

(1) Food includes every article other

other than drugs or water used by man fo food or drink.

(2) and all material used or admixed in the composition or preparation of suc article and

(3) shall also include flavouring matter and condiments.

Same as our Reg^n 5.2

LOCAL THERRITORY.

Local body

Localities where the law is enforced defined and local bodies defined improvement officers. & Panchayat

CHAPTER 11.

OFFENCES AND PUNISHMENTS.

(1) Every person who

i. mixes, colours, soils or powders or

ii. orders or permits any other person to mix, colour, soil or powder with the object that the article of food is sold in this changed condition or sells any article of food thus mixed, coloured, soiled or powdered or induces to sell o exhibits any article of food with any other article or drug in a way that wou be injurious to the health,

shall be liable to a fine

(a) for the first offence extending t Rs 500/- and

(b) for every subsequent offence extending to Rs 1,000/-

2. But should the individual charge before a Magistrate, with an offence under this Regulation, prove that

i. he was ignorant of the fact of the article of food having been adultereate etc., or that he was not in a position t know the fact of the article of food ha been adulterated. etc., in spite of due enquiries made by him in this behalf the he shall not be held responsible for

the sale of such article of food.

6. (1) Every person who sells, gets sold, manufactures, solicits to sell or exhibits with a view to sell any food which is not of the nature, substance o quality it appears to be,

shall be liable for the first offen to a fine extending to Rs200/- and for every subsequent offence to a fine extending to Rs 1,000/-.

(2) Provided that in the following cases no offence under this section shall be deemed to have been committed:

Where any innocuous material has bee used or admixed in the composition or preparation of the food to render the same fit for carriage or consumption and not fraudulently to increase the bulk, weight or measure of the food or to conceal the quality thereof or

Where any innocuous material or drug has been added to or mixed with or take from, and

ii. Where any food stuff is manufactured with any materials or drugs not injurious to health and (2) Where accor ing to the rules prescribed under this Regulation the vendor has by means of a lable brought to the notice of the purchaser that in the article of food certain innocuous material or drug has been added to, mixed with or taken from.

NOTE : If any matter not extracted from milk can be found in any ghee or butter then that ghee or butter shall not be deemed to be of the nature and

and quality that genuine products should be,

and if such an article of food is found at a place which is used for manufacture of such article of food, until and unless the contrary is proved, that article shall be deemed to have been manufactured for sale.

(3) In every prosecution for an offence under this Section, it shall be no defence to allege that the vendor was ignorant of the nature, substance or quality of the food sold, or that the food sold was not wanting in its nature, substance or quality,

provided that the vendor shall not be deemed to have committed an offence if he proves that the article sold was brought by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such nature, substance and quality, that he had no reason to believe at the time when he sold the same that the article was not of such nature, substance or quality and that he sold it in the same state as that in which he bought it.

7. Any person granting in respect of any article sold on behalf of his employer or broker, a false written warranty shall be liable for the first offence to a fine extending to Rs 500/- and for every subsequent offence to a fine extending to Rs 1,000/-.

CHAPTER 111.

APPOINTMENT OF AN ANALYST.

8. To do the duties of an analyst unde this Act, the local bodies may appoint a duly qualified and experienced individual with the previous sanction of His Highnes and the appointment shall be notified in the Gazette.

9. Any purchaser of any article of foc shall be entitled to have such article analysed by the public analyst appointed for the area within which such article is purchased and to receive from him a - certificate on the result of his analysis

FEES FOR ANALYSIS.

(2) The individual desiring to have any articles analysed shall remit with th application the fees prescribed and published in the Gazette by the Health Depar ment with the sanction of Government.

CERTIFICATE OF ANALYSIS.

(3) The analyst in issuing a certific shall conform to the rules prescribed by the Head of the Health Department under Sub-Section A of Sec.21.

COPY OF CERTIFICATE TO BE FORWARDED TO THE LOCAL BODY.

(4) The analyst shall forward to the local authority a copy of the certificate issued showing the result of his analysis

APPOINTMENT OF AN INSPECTING OFFICER.

10. The local bodies shall appoint an Inspecting Officer in accordance with the rules prescribed by the Health Department with the sanction of His Highness particularly in respect of certain food stuffs and generally in respect of all foodstuffs.

RE. OBTAINING THE FOOD ARTICLE BY THE INSPECTING OFFICER.

11. (1) Any Inspecting Officer , of his own accord or on behalf of another is entitled to have any food article and to know its nature.

RE. FORWARDING THE ARTICLE TO THE ANALYST.

(2) If the Inspecting officer suspect that, that article of food is sold in contravention of the provisions of this Regulation he shall forward the article to the public analyst of the place within which the article was obtained.

THE ANALYST TO ANALYSE.

(3) The analyst shall analyse it as speedily as possible after recovering the prescribed fees.

The certificate shall be issued in the prescribed form and

a copy thereof shall be forwarded to the local officer concerned.

INTIMATION TO BE GIVEN TO THE SELLER PRIOR TO SENDING THE ARTICLE FOR ANALYSIS.

12. (1) The purchaser shall notify to the person from whom he has purchased the article, his intention to have it analysed and shall then and there divide it in three parts, each part to be marked and sealed and fastened up in such manner as its nature permits and shall deliver one of the said parts to the seller or to his commission agent.

WHAT SHOULD BE DONE WHEN DIVISION IS NOT EFFECTED.

(2) If the seller or his commission agent declines to accept one of the parts the analyst receiving a sample for analysis shall divide it into two parts and shall cause it either upon receipt of the sample or when he delivers his certificate to be delivered to the purchaser who shall retain it for production in case proceedings are taken.

PUNISHMENT FOR EFUSING TO SELL ANY RTICLE OF FOOD TO HE INSPECTING OFFICER.

13. In accordance with Sec. 10, if any Inspecting officer desires to purchase any article of food manufactured for sale either wholesale or retail, exposed or

or set apart and offer to pay for just as much of the article as may be require for analysis and not more and if the individual who has manufactured it for sale and has exposed it or set it apart declines to sell it, he shall be liable to a fine extending to Rs 200/-.

CHAPTER IV.

OFFICER TO TRY CASES UNDER THIS ACT.

14. No officer lower in status than that of second class 'Fouzdari Nyayadish (Magistrate) shall be empowered to try any offence under this Act.

DISPOSAL OF THE FINE REALISED

(2) The fine that may be recovered from the accused for offences committed under this Act shall be disposed off under the rules as may be prescribed by His Highness from time to time.

TIME ~~FINE~~ LIMIT WITHIN WHICH TO FILE A COMPLAINT.

15. (1) If no complaint under this Act is lodged within 30 days from the date of the analyst's certificate, no prosecution shall lie against the offending individual.

POINTS TO BE STATED IN THE SUMMONS.

(2) The summons to be served under this Regulation on the offender shall mention the details of the charge, the name of the complainant and the date of the hearing of the case.

WHEN TO COMMENCE PROCEEDINGS.

(3) Proceedings shall not be commenced until and unless full seven days at least have elapsed from the date of the service of the summons on the accused.

THE CERTIFICATE OF ANALYSIS AS EVIDENCE.

16. (1) The certificate issued by the analyst in the prescribed form and produced before the Magistrate shall be taken as

as clear evidence in the case unless it is proved satisfactorily to be unacceptable.

RE. FORWARDAL TO THE CHEMICAL EXAMINER.

(2) The trying Magistrate is competent either on his own behalf or on the request of either the complainant or the defendant to forward for analysis to the Government chemical Examiner any article of food.

9. The chemical Examiner shall analyse it as early as practicable and submit the result to the Magistrate.

The charges for analysis shall be paid either by the complainant or the defendant as may be ordered by the Magistrate.

THE CERTIFICATE OF ANALYSIS BY A PRIVATE ANALYST.

17. If the defendant desires to produce a certificate from an analyst other than one appointed under Sec.3, he shall file at least three days prior to the commencement of the proceedings a copy of such certificate through his accredited lawyer.

SUMMONING THE ANALYST AS A WITNESS.

18. The defendant is competent to require the analyst as a witness and if the defendant desire it, the Magistrate shall summon him.

RIGHT TO ENTER

19. (1) If the Inspecting Officer has reason to believe that a place is used to manufacture or sell any food mat he shall be competent to enter the place at any suitable time in connection with his duties under this Act.

TO RESPECT RELIGIOUS SENTIMENT.

(2) But in doing this, he shall respect the social and religious senti ments of the occupant of the place.

LIABILITY RE. ACTS DONE IN GOOD FAITH.

20. No officer appointed to do any of the duties under this Act shall be held liable to any fine or loss for any actions done by him bonafide in the exercise of the powers and duties entru ted to him under this Regulation-

21. The Director of Health wit sanction of His Highness is competent to make rules on the following points not inconsistent with this Act:

Re: the appointment of an Inspecting officer

Re: The qualifications required to hold the post of Inspecting Cfficer.

Re: The quantity and the quality of shortcoming in a food material. What and how much of an extraneous matter is added to it.

Re: declaring an article to be not ( the nature and quality that it appears to be as interpreted by Sec.6.

Re: any other points necessary to fu fill the requirements of this law.

Part 11.

CHAPTER 1 .

Rules against adulteration of drugs and against the sale of such adulterated drugs.

22. MEANING OF MEDICINE.

The word 'Medicine' includes all drugs used for eating, drinking, swallowing or taking through a syringe or application.

PUNISHMENT FOR 23 (i) ADULTERATING INJURIOUS DRUGS WITH MEDICINES AND FOR SALE OF SAME.

Any individual who so mixes, colours soils or powders any medicine with any other article or drug as to render it inferior in quantity or less effective,

(ii) or orders or permits any person to so mix, colour, soil or powder with a view to have it sold in its altered condition or,

(iii) sells or asks others to sell or exhibits to sell such adulterated, coloured, soiled or powdered medicine,

(iv) shall be punished for the first offence with a fine extending to Rs500/-

and (v) for every subsequent offence with a fine extending to Rs1,000/-

WHEN NOT LIABLE TO PUNISHMENT.

(2) Provided that no individual charged with an offence as above shall be held liable for the offence if he proves to Magistrate,

(a) that he was ignorant of the fact of the medicine having been so adulterated coloured, soiled or powdered as stated in ~~Sub-Sec.(1)~~ Sub-Sec. (i) and

(b) That he was not in a position to obtain such information in spite of his earnest attempts.

PUNISHMENT FOR SELLING OR MANUFACTURING SPURIOUS ARTICLES.

24 (1) Any individual who sells, makes another sell manufacture, insti gates another to sell or exposes for sale any medicine which is not the same in susbtance and quality as it looks to be shall be liable to a fine

(a) For the first offence to a fine extending to Rs200/- and

(b) for every subsequent offence to a fine extending to Rs1,000/-

WHEN NOT DEEMED AN OFFENCE.

(2) Provided, that he shall not be deemed to have committed an offence und any of the following circumstances;

(a) Where any article or drug has be used or admixed in the composition or preparation of the medicine to render t same fit for carriage or consumption an not fraudulently to increase the bulk, weight or measure of the medicine or co ceal its inferiority,

(b) Where any uninjurious article or drug has been added to, admixed with or taken from a medicine or

(c) Where any dedicine is prepared wi uninjurious articles and drugs and

(2) Where, in any medicine, such unin rious article or drug has been added or admixed or taken away or where such medi has been prepared with such articles or drugs and before the sale the vendor has clearly brought the fact to the notice of the purchaser by means of a label in the manner prescribed by rules under this law

PRESUMPTIONS TO BE MADE AND PLANS TO BE ALLOWED OR DISALLOWED.

N. B. The court may presume that unless and until the contrary is proved, such medicine found at a place commonly used for the preparation of such

such medicine is prepared for sale.

(3) (*i*) In every prosection under this section it is no defence to allege merely (1) that the vendor was ignorant of the nature, substance or quality of t medicine sold by him or (2) that the medicine sold was not wanting in its nature substance or quality,

(*ii*) Provided that the vendor shall not be deemed (1) to have committed an offence if he proves to the satisfaction of the Magistrate that the medicine was ~~prepared~~ purchased by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such nature susbtance and quality and that he purchas it as a commission agent and ~~returned~~ retained it as such.

(2) that he had no reason to believe at the time when he sold the same that t medicine was not of such nature, substance or quality and

(3) that he sold it in the same state as that in which he purchased it.

PUNISHMENT FOR GIVING FALSE GUARANTEE.

25. If any individual who sells on hi own account or as a commission agent any medicine issued in respect thereof a false written warranty, he shall be liable for the first offence to a fine extending to Rs 500/- and for every subsequent offence to a fine extending to Rs 1,000/-.

## CHAPTER 11.

APPOINTMENT OF ANALYST.

26. To do the duties of an analyst,

analyst, under this Act, the local bodies may appoint for any particular locality a duly qualified and experienc individual and such appointment shall be notified in the Gazette.

RIGHT OF ANALYSIS BY THE PUBLIC ANALYST.

27. (1) Any purchaser of any medicine shall be entitled to have such medicine analysed by the public analyst of the place where such medicine may h been purchased and to receive from him a certificate on the result of the analysis.

FEES PRESCRIBED FOR ANALYSIS.

(2) The individual desiring to l the analysis shall remit with his application the fees prescribed and published in the Gazette by the Depart-ment of Health with the sanction of His Highness.

RULES FOR ISSUE OF CERTIFICATE.

(3) The analyst shall conform to the rules prescribed under Section 3 by the Head of the Health Department.

COPY OF CERTIFICATE TO BE FORWARDED TO THE LOCAL AUTHORITIES.

(4) The analyst shall forward to the local authority a copy of the certi ficate issued showing the result of the analysis.

APPOINTMENT OF INSPECTING OFFICER.

28. The Local Bodies shall appoint an Inspecting Officer in accordance with the rules prescribed by the Head of the Health Department with the previous sanction of His Highness in respect of any medicine in particular or in respect of all other medicines in general.

RE. THE INSPECTING OFFICER OBTAINING THE ARTICLE OF MEDICINE.

29 (1) Any Inspecting Officer either on his own accord or on behalf of another

another is entitled to obtain any medicin or sample thereof.

RE: FORWARDAL TO THE ANALYST.

(2) If the Inspecting Officer has cause to suspect that the medicine is sold in contravention of the provisions of this Regulation, then he shall forward it to the public analyst of the place within which such medicine was obtained.

THE ANALYST SHALL ANALYSE IT.

(3) (i) The Analyst shall analyse t as early as possible after recovering the fees prescribed and

(ii) The certificate shall be issued in the prescribed form and

(9) A copy thereof shall be forwarded forthwith to the Local authority.

THE VENDOR TO BE INFORMED PRIOR TO SENDING THE MEDICINE FOR ANALYSIS.

39 (1) The purchaser shall notify to the person from whom he has purchased the medicine his intention to have it under Section 27, analysed and shall divide it then and there in three parts each part to be marked and sealed or fastened up in such manner as its nature permits and shal deliver one of the said parts to the selle or to his commission agent.

ARRANGEMENT TO BE MADE WHEN DIVISION IS NOT EFFECTED.

(2) If the seller or his commission agent does not agree to the request of the purchaser to divide the medicine in the presence of the seller or his commission Agent, the analyst receiving a sample fo analysis shall divide it into two parts and fastening and sealing one of the parts, shall cause it either upon receipt of th sample or when he delivers his certificat to be delivered to the purchaser who shal retain it for production in case any

any proceedings are subsequently taken.

PUNISHMENT FOR REFUSING TO SELL MEDICINE TO THE INSPECTING OFFICER.

31. In accordance with Section 28, if a duly authorised Inspecting Officer demand to purchase any medicine or sample thereof, prepared for sale either wholesale or in retail, or exhibited or set apart for sale and offer to pay for just as much and not more of the medicine as may be required for analysis and if the individual who may have manufactured, exhibited or set apart for sale the medicine, decline to sell the medicine or sample thereof, then that individual thus refusing to sell shall be liable to a fine extending to Rs 200/-.

## CHAPTER 111.

JURISDICTION OF THE TRYING MAGISTRATE.

32. (1) No officer lower in status than that of a Second Class Fouzdari Nyayadhish (Magistrate) shall be empowered to try any offence under this act.

PUNISHMENT.

(2) The fine recovered from the accused for offences under this part shall be disposed of under the rules that may from time to time be prescribed by His Highness.

TIME FOR INSTITUTING PROCEEDINGS.

33. (1) If no complaint is lodged under this Act within 30 days from the date of the certificate issued by the analyst, no prosection shall thereafter lie against the offending individual.

WHAT THE SUMMONS TO STATE.

(2) The summons to be served under this part of the Regulation on the

the accused shall state (a) the details of the offences attributed (b) the name of the complainant and (c) the date and place of the hearing of the case.

WHEN PROCEEDINGS NOT TO COMMENCE.

(3) Proceedings shall not be commecned until and unless full seven days at least have elapsed from the date of the service of summons on t accused.

THE CERTIFICATE OF ANALYSIS SHALL BE TAKEN AS EVIDENCE.

34 (1) The analyst's certificate issued in the prescribed form - if produced before the Magistrate - shall be taken as a clear evidence regarding the details mentioned thereon unless contrary is proved.

RE: FORWARDAL TO THE CHEMICAL EXAMINER.

(2) The trying Magistrate is competent either on his own iniative or on the request either of the complainant or the defendent to forward any medicine or sample thereof for analysis to the Chemical Examiner.

(a) The Chemical examiner shall analyse it as early as possible and intimate the result to the Magistrate

(b) The charges on account of such analysis shall be borne either by the complainant or the defendant as the Judge may order.

CERTIFICATE OF A PRIVATE ANALYST BESIDES THAT BY ONE APPOINTED UNDER THIS ACT.

35. If the accused desire to file a certificate of a private analyst besides the one granted by the analyst appointed under this Act, he shall file at least three days prior to the commencement of the proceedings a copy of such certificate

certificate through his accredited lawyer.

RE: SUMMONING THE ANALYST AS A WITNESS BEFORE THE JUDGE.

36. The accused is competent to demand the analyst being summoned as a witness and if the defendant desire it, the Magistrate shall summon him.

RIGHT TO ENTER THE PLACE.

37 (1) If the Inspecting Officer has reason to believe that a place is used for the manufacture of any medicine or for the sale thereof he shall be competent to enter that place and at any time in the discharge of any duties under this Act.

RE: RESPECTING RELIGIOUS SENTIMENT.

(2) But in doing this, he shall respect the social and religious sentiments of the occupants of the place.

LIABILITY FOR ACTIONS DONE IN GOOD FAITH.

38. No officer appointed to do any of the duties under this Act shall be held liable to any fine or loss for any acting done by him bona fide in the exercise of the powers and duties entrusted to him under this Regulation.

RULES.

39. The Minister of Health with the sanction of His Highness is competent to make rules on the following points no inconsistent with this Act:

Re: the appointment of an Inspecting Officer.

Re: qualifications required to hold the post of Inspecting Officer.

Re: the quantity and the quality of shortcoming in a food material. What and how much of an extraneous matter is added

Re: declaring an article to be not of the nature and quality that it appears to be as interpreted by Section 6.

Re: any other points necessary to fulfill the requirements of this law.

Sd/- Dandekar,
Minister of Law.

10th April 1934.

21.3.35

D.O No.P.531

26th March 1935.

27

Dear Sir,

I write to acknowledge with thanks your D.O. letter No.Cl.1068/34-35 dated 21st March 1935 and the English Translation of the Baroda Regulation to prevent the adulteration of Food Stuffs and Medicines which you so kindly undertook at my request.

Yours sincerely,

K. R. Nagarkar, Esq., B.A.,
Assistant Commissioner of Income-tax,
New Public Offices,
Bangalore.

Appendix F. G.–1]

SUBJECT.....

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Section.

File No.

Serial No.

No. P-5311

To

N. R. Nagarkar Esqr Bar

Asstt Commr of Income

Dear Sir,

I write to ack

with thanks your ...

letter No Cl 1068/34-35 of 21-...

and the Eng Translation

of the Baroda Regulation

to prevent the admission

of Govt Stamps and Receipts

which you so kindly sent

at my request

Yours Sincerely

Diary No. of letter replied to.....

General and Revenue Secretariat.

( )

the 193 .

Date of issue 27/3/35

Signed by M C Ryan

List of enclosures.....

Copied by.....

Examined by.....

Form
25/3

Appendix F G—1]

SUBJECT .....

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Section P H

File No.

Serial No.

*Diary No. of letter replied to* 4722

No. 247 Fmc 1

To The Dir of Health

Sir

General and Revenue Secretariat

( )

*the* *193*

Date of issue 11.7.35

Signed by [redacted]

With refce to your Memo No C/1025-2 A 23-5-35 about amending the Bombay Food Adulteration Regs re colour, flavouring, etc of articles of food I am directed to forward herewith an extract from the Bombay Food Adulteration Rules in the matter & request you to let me have your views whether the same may be adopted & whether you have any alterations or additions to suggest to the proposed amendment.

which is proposed to be incorporated into our regulations. In this connection, I am to

List of enclosures .....

Copied by .....

Examined by.....

[redacted]

WD 01956—GPB—22,590—12-6-34

dft
27/7/35

**GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE**

**General and Revenue Secretariat**

*Dated, Bangalore,* 9th July 1935.

*No.* 247

*From*

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

*To*

The Director of Health in Mysore,

Bangalore.

*Sir,*

With reference to your Unofficial Note No.C.1025-2 dated 23rd May 1935 about amending the Mysore Food Adulteration Regulation regarding colouring staining, etc., of articles of food, I am directed to forward herewith an extract from the Bombay Food Adulteration Act in the matter which is proposed to be incorporated into our Regulation. In this connection I am to request you to be so good as to state whether the same may be adopted and whether you have alterations or additions to suggest to the proposed amendment.

I have the honour to be,

Sir,

Your most obedient servant,

for General Secretary to Government.

Ags/2

GOVERNMENT OF MYSORE

## STATE DEPARTMENT OF HEALTH.

68

[redacted],
*Director of Health.*

"GRACE VILLE," PALACE ROAD,

*Bangalore (S. India), dated....*July 31,.. 35

Telephone No. 340

Telegram : HEALTH

C 1025-6

Encl.

GENL. & MIS. BRANCH. 629 2. AUG. 1935 GENL. & REV. SECTT.

FROM P.Parthasarathy, Esq.,L.M.S.,B.S.Sc.,L.R.C.P & S.,D.T.M.,
[redacted], D.P.H.,
Ag. *Director of Health with the Government of His Highness the Maharaja of Mysore, Bangalore.*

GENERAL SECRETARIAT 1 AUG. 1935

To

H.V.Ramaswamy, Esq.,M.A.,B.L.,
General Secretary to the Government of
H.H. the Maharaja of Mysore, Bangalore.

SIR, Ref:- Your letter No. G. 247/P.H. dated 9/11th July 1935.

I have the honour to inform that the extract from the Bombay Food Adulteration Act regarding colouring, staining etc., of articles of Food may be adopted.

I have the honour tobe,

Sir,

Your most obedient servant,

P. Parthasarathy

Ag. Director of Healt...

G. R. S. VI.—S-III/14]

**DRAFT.**

SUBJECT.....

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Section. Legs
File No. GL-35
Serial No. 1

*Proceedings of the Government of H. H. the Maharaja of Mysore.*

*Diary No. of letter replied to*.....

Order No. P 4520 Leg 1

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191* .

Ordered that the accompanying Regulation further to amend the Prevention of Adulteration Regn., 1921 which received the assent of His Highness the Maharaja, on the 30th day of December 1935, be published as Regulation No. XII of 1935, in the *Mysore Gazette* for general information.

*Date of issue* 11/1/36

*Signed by* K. C. S. Iyer

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

G. L. *Secretary to Government.*

To

The Compiler, *Mysore Gazette*, for publication in Part ~~III~~ IV of the Gazette, in English and Kannada and for supply of .....spare copies in English, and as per standing order .....spare copies in Kannada ~~to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore~~. Proofs should be sent to this office for approval before publication.

Copy to Translation Section
Sd/- 10/1/36

Proceedings of the Government of His Highness

the Maharaja of Mysore.

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O r d e r--No. P 45-20/Legis 62-35/1

Dated Bangalore, the 11th January 1936.

Ordered that the accompanying Regulation further to amend the Mysore Prevention of Adulteration Regulation 1921 which received the asent of His Highness the Maharaja, on the 30th day of December 1935, be published as Regulation No.XII of 1935, in the Mysore Gazette for general information.

for General Secretary to Govt.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English, and spare copies in Kannada as per standing orders. Proofs should be sent to this office for approval before publication.

NOTIFICATION.

*Order No. P. 4520—Legis. 62-35-1, dated Bangalore, the 11th January 1936.*

Ordered that the accompanying Regulation further to amend the Mysore Prevention of Adulteration Regulation 1921 which received the assent of His Highness the Maharaja, on the 30th day of December 1935, be published as Regulation No. XII of 1935, in the *Mysore Gazette* for general information.

By Order,

M. VENKATESA IYENGAR,
*Secretary to Government,*
*General Department.*

## REGULATION XII OF 1935.

*(Received the assent of His Highness the Maharaja on the 30th day of December 1935.)*

### Regulation further to amend the Mysore Prevention of Adulteration Regulation, IX of 1921.

Whereas it is expedient to further amend the Mysore Prevention of Adulteration Regulation, 1921; It is hereby enacted as follows :— Preamble.

After Section 5 of the Regulation, the following new section shall be added as 5-A : Addition of a new Section 5-A.

" 5-A. Any person who mixes, colours, stains or powders or orders or permits any other person to mix, colour, stain or powder any article of food with any matter or ingredient so as to render the article injurious to health with intent that the same may be sold in that state or sells or offers or exposes for sale any such article so mixed, coloured, stained or powdered shall be punished for the first offence with a fine which may extend to one hundred rupees and for every subsequent offence with a fine which may extend to five hundred rupees. Prohibition of mixing of food with injurious ingredients or selling the same.

Exemption in case of proof of absence of knowledge.

Provided that no person shall be liable to be convicted in respect of the sale of any article of food if he proves, to the satisfaction of the court before whom he is charged, that he did not know of the article of food being so mixed, coloured, stained or powdered as aforesaid and that he could not, with reasonable diligence, have obtained such knowledge "

MIRZA M. ISMAIL,